

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-NINTH PARLIAMENT

FIRST SESSION

TUESDAY, 24 MAY 2022

hansard.parliament.vic.gov.au

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU AC

The Lieutenant-Governor

The Honourable JAMES ANGUS AO

The ministry

Premier.	The Hon. DM Andrews MP
Deputy Premier, Minister for Education and Minister for Mental Health	The Hon. JA Merlino MP
Attorney-General and Minister for Emergency Services	The Hon. J Symes MLC
Minister for Transport Infrastructure and Minister for the Suburban Rail Loop	The Hon. JM Allan MP
Minister for Training and Skills and Minister for Higher Education	The Hon. GA Tierney MLC
Treasurer, Minister for Economic Development and Minister for Industrial Relations.....	The Hon. TH Pallas MP
Minister for Child Protection and Family Services and Minister for Disability, Ageing and Carers	The Hon. AR Carbines MP
Minister for Public Transport and Minister for Roads and Road Safety .	The Hon. BA Carroll MP
Minister for Energy, Environment and Climate Change and Minister for Solar Homes	The Hon. L D’Ambrosio MP
Minister for Health, Minister for Ambulance Services and Minister for Equality	The Hon. MP Foley MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation and Minister for Fishing and Boating	The Hon. MM Horne MP
Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support	The Hon. NM Hutchins MP
Minister for Local Government, Minister for Suburban Development and Minister for Veterans	The Hon. SL Leane MLC
Minister for Water and Minister for Police.	The Hon. LM Neville MP
Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events and Minister for Racing	The Hon. MP Pakula MP
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Creative Industries	The Hon. DJ Pearson MP
Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources.....	The Hon. JL Pulford MLC
Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth	The Hon. RL Spence MP
Minister for Workplace Safety and Minister for Early Childhood	The Hon. I Stitt MLC
Minister for Agriculture and Minister for Regional Development	The Hon. M Thomas MP
Minister for Prevention of Family Violence, Minister for Women and Minister for Aboriginal Affairs.....	The Hon. G Williams MP
Minister for Planning and Minister for Housing	The Hon. RW Wynne MP
Cabinet Secretary	Ms S Kilkenny MP

Legislative Council committees

Economy and Infrastructure Standing Committee

Mr Barton, Mr Erdogan, Mr Finn, Mr Gepp, Mrs McArthur, Mr Quilty and Mr Tarlamis.

Participating members: Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Shing, Ms Vaghela and Ms Watt.

Environment and Planning Standing Committee

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Terpstra and Ms Watt.

Participating members: Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

Legal and Social Issues Standing Committee

Ms Burnett-Wake, Ms Garrett, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

Participating members: Dr Bach, Mr Barton, Ms Bath, Ms Crozier, Dr Cumming, Mr Erdogan, Mr Gepp, Mr Grimley, Ms Lovell, Mr Quilty, Dr Ratnam, Ms Shing, Mr Tarlamis, Ms Terpstra and Ms Vaghela.

Privileges Committee

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

Procedure Committee

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

Joint committees

Dispute Resolution Committee

Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Symes and Ms Tierney.

Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

Electoral Matters Committee

Council: Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

Assembly: Ms Hall, Dr Read and Mr Rowswell.

House Committee

Council: The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

Assembly: The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

Integrity and Oversight Committee

Council: Mr Grimley and Ms Shing.

Assembly: Mr Halse, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

Pandemic Declaration Accountability and Oversight Committee

Council: Ms Crozier, Mr Erdogan and Ms Shing.

Assembly: Mr J Bull, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

Public Accounts and Estimates Committee

Council: Mrs McArthur, Mr Barton and Ms Taylor.

Assembly: Ms Blandthorn, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

Scrutiny of Acts and Regulations Committee

Council: Mr Gepp, Ms Patten, Ms Terpstra and Ms Watt.

Assembly: Mr Burgess, Ms Connolly and Mr Morris.

Heads of parliamentary departments

Assembly: Clerk of the Legislative Assembly: Ms B Noonan

Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

Parliamentary Services: Secretary: Ms T Burrows

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-NINTH PARLIAMENT—FIRST SESSION

President

The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

Deputy President

The Hon. WA LOVELL

Acting Presidents

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

Leader of the Government

The Hon. J SYMES

Deputy Leader of the Government

The Hon. GA TIERNEY

Leader of the Opposition

The Hon. DM DAVIS

Deputy Leader of the Opposition

Ms G CROZIER

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Maxwell, Ms Tania Maree	Northern Victoria	DHJP
Bach, Dr Matthew ¹	Eastern Metropolitan	LP	Meddick, Mr Andy	Western Victoria	AJP
Barton, Mr Rodney Brian	Eastern Metropolitan	TMP	Melhem, Mr Cesar	Western Metropolitan	ALP
Bath, Ms Melina Gaye	Eastern Victoria	Nats	Mikakos, Ms Jenny ⁸	Northern Metropolitan	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Donohue, Mr Edward John ⁹	Eastern Victoria	LP
Burnett-Wake, Ms Cathrine ²	Eastern Victoria	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Patten, Ms Fiona Heather	Northern Metropolitan	FPRP
Cumming, Dr Catherine Rebecca	Western Metropolitan	Ind	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dalidakis, Mr Philip ³	Southern Metropolitan	ALP	Quilty, Mr Timothy	Northern Victoria	LDP
Davis, Mr David McLean	Southern Metropolitan	LP	Ratnam, Dr Samantha Shantini	Northern Metropolitan	Greens
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Erdogan, Mr Enver ⁴	Southern Metropolitan	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Finn, Mr Bernard Thomas Christopher ⁵	Western Metropolitan	Ind	Somyurek, Mr Adem ¹⁰	South Eastern Metropolitan	Ind
Garrett, Ms Jane Furneaux	Eastern Victoria	ALP	Stitt, Ms Ingrid	Western Metropolitan	ALP
Gepp, Mr Mark	Northern Victoria	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Grimley, Mr Stuart James	Western Victoria	DHJP	Tarlamis, Mr Lee ¹¹	South Eastern Metropolitan	ALP
Hayes, Mr Clifford	Southern Metropolitan	SAP	Taylor, Ms Nina	Southern Metropolitan	ALP
Jennings, Mr Gavin Wayne ⁶	South Eastern Metropolitan	ALP	Terpstra, Ms Sonja	Eastern Metropolitan	ALP
Kieu, Dr Tien Dung	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Vaghela, Ms Kaushaliya Virjibhai ¹²	Western Metropolitan	Ind
Limbrick, Mr David ⁷	South Eastern Metropolitan	LDP	Watt, Ms Sheena ¹³	Northern Metropolitan	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Wooldridge, Ms Mary Louise Newling ¹⁴	Eastern Metropolitan	LP
McArthur, Mrs Beverley	Western Victoria	LP			

¹ Appointed 5 March 2020

² Appointed 2 December 2021

³ Resigned 17 June 2019

⁴ Appointed 15 August 2019

⁵ LP until 24 May 2022

⁶ Resigned 23 March 2020

⁷ Resigned 11 April 2022

⁸ Resigned 26 September 2020

⁹ Resigned 1 December 2021

¹⁰ ALP until 15 June 2020

¹¹ Appointed 23 April 2020

¹² ALP until 7 March 2022

¹³ Appointed 13 October 2020

¹⁴ Resigned 28 February 2020

Party abbreviations

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

FPRP—Fiona Patten's Reason Party; Greens—Australian Greens; Ind—Independent;

LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party

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Tuesday, 24 May 2022

The PRESIDENT (Hon. N Elasmr) took the chair at 11.34 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The PRESIDENT (11:34): On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

Bills

**JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS)
BILL 2022**

Royal assent

The PRESIDENT (11:35): I have a message from the Governor, dated 18 May:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to her by the Clerk of the Parliaments:

17/2022 Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022

ROAD SAFETY LEGISLATION AMENDMENT BILL 2022

**TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER
MATTERS) BILL 2022**

Royal assent

The PRESIDENT (11:36): I have another message from the Governor, dated 24 May:

The Governor informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to her by the Clerk of the Parliaments:

18/2022 Road Safety Legislation Amendment Act 2022

19/2022 Transport Legislation Amendment (Port Reforms and Other Matters) Act 2022

Questions without notice and ministers statements

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Ms LOVELL (Northern Victoria) (11:37): My question is for the Minister for Emergency Services. About 5.30 pm on 12 May, 15-month-old Lawson Walter suffered a seizure at his home in Girgarre. His parents drove him to Kyabram hospital as they dialled 000, which rang out three times. Finally an operator answered, but they were cut off. They redialled; it rang out again. They tried once more and stayed connected to an operator for about 12 minutes. He was unable to transfer them to ambulance. As they arrived at Ky hospital the operator said they would try and send an ambulance but was not sure if one was available. Lawson had stopped breathing and was turning grey, so the hospital also rang for an ambulance. About 30 minutes later an ambulance arrived. Paramedics assessed Lawson but were not comfortable to transfer him, so they called for assistance. Lawson stopped breathing twice before he was loaded into the ambulance, which headed to Shepparton but stopped just outside Ky where they waited for a mobile intensive care ambulance. Lawson stopped breathing four more times before reaching Goulburn Valley Health. Minister, Lawson's family or the hospital rang 000 seven times before an ambulance attended. Given this is unacceptable, will you unreservedly apologise for this failure on your watch?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:38): I thank Ms Lovell for her question. Of course the experience of Lawson's family is terrifying. For anybody when they have to wait for help in an emergency situation, of course I apologise for any of the unacceptable delays at ESTA, and that is what is driving my commitment to make investments in that organisation and support the amazing workforce in that organisation. I was out there on Wednesday talking to the staff. They are so committed to helping Victorians every day. We are having more and more call takers hit the floor every day. There is a brand new floor out at ESTA to accommodate the recruits that are coming on board every day. Our training program is full.

In relation to the specific incident of Lawson, you have identified that there were a range of issues that I am not familiar with in relation to call availability, being able to get through to 000, being cut off. This is not necessarily attributable to being in a queue at ESTA. This is a case that will be reviewed by appropriate authorities in relation to the inspector-general for emergency management (IGEM). I will not stand here and attribute blame to anybody in a system, whether it is Telstra, ESTA, ambulance or a hospital. It is not my role. It is a political game that you are trying to draw me into.

Ms Lovell: This is a baby's life.

Ms SYMES: And I have acknowledged that, but I will not use an incident such as this to cause more distress to ESTA when they are focused on improvements. I have explained that these cases are looked at by appropriate authorities. It is not appropriate for me to give a blow-by-blow account of each incident. I am the minister; I am not the IGEM and I am not the coroner in instances like those.

Mr Davis interjected.

Ms SYMES: I am absolutely responsible. I am responsible for ensuring that that organisation is supported to be the best service it can be to be relied on by the Victorian public, and I think the amount of investment and the initiatives that I have explained to the chamber over the past months go to that effort. We are getting improvements each and every day at ESTA, and I thank those staff for their continued efforts.

Ms LOVELL (Northern Victoria) (11:41): Minister, will you order an investigation into Lawson's case, and will you guarantee that no other family has to endure the terrifying fiasco faced by Lawson's parents, Tamika and Ashley, as they watched 15-month-old Lawson struggle for survival while they waited in vain for 000 assistance?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:41): Ms Lovell, I have gone to some lengths to explain to the chamber on numerous occasions how the system works. It is not a role for me to launch investigations into individual cases. We have established appropriate practices, established authorities, to look at this. We have IGEM, we have Safer Care Victoria and we have reporting mechanisms to those organisations. This case will be looked at, but it does not need me to initiate an investigation. The answer is: yes, it will be looked at, but it is not my role to make that direction.

SMALL BUSINESS SUPPORT

Mr BARTON (Eastern Metropolitan) (11:42): My question today is for Minister Pulford, the Minister for Small Business. COVID-19 has had a devastating effect on small businesses, whether you are in transport, hospitality, manufacturing or specialised services. Some small businesses have managed to bounce back and have not missed a beat, others are struggling to recover and, Minister, some are not going to come back at all. As small business minister, what are you doing and what is the government doing to help people transition in this new world we now face?

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (11:42): I thank Mr Barton for his question and his interest in the recovery and wellbeing of our Victorian small

business community. I thank him for his interest in this. It has been a little while since we have had a question in this portfolio in this house, and I welcome Mr Barton's interest. We have around 640 000 small businesses registered in Victoria, which, in spite of it all, is about 20 000 more than when I came into the portfolio. I think that speaks volumes about the ingenuity and the resilience and the entrepreneurship of people in the Victorian community.

We also continue to have what you could almost describe as a historically, unnaturally low level of insolvencies, and I think that can be attributed to the many interventions by governments over the last couple of years. There have been Victorian businesses that have had a great couple of years, and I think they feel quite conflicted about that because they are in sectors where economic activity has been diverted or they are in parts of the community where economic activity has been diverted. There are whole sectors that are experiencing their greatest financial success relative to other sectors and relative to historical trends. I congratulate them on that. There are others that have had profound hardship inflicted on them, and I congratulate them for their resilience. I congratulate them and thank them for what they have done to save so many thousands of lives, to save so many people from the impacts of long COVID, to save those who are immunocompromised. I thank them every day. I take my hat off to them. It has been an unbelievable thing, and we have recognised the significant hardship that they have experienced.

The government's financial support through this period to our business community has been many, many billions of dollars, but of course the pandemic continues. We now are faced with really significant workforce shortages, and we are doing a whole lot of different things across a range of portfolios to respond to that. We certainly welcome a constructive dialogue around both skilled migration and approval to work for people that are resident in Australia to help relieve that pressure. But we have a number of programs that are open and underway, and I would encourage all members to familiarise themselves with those: the small business toolkit, Ready for Growth, obviously our digital channels, the Better Approvals program, the chambers and traders grants program, the ventilation program, small business digital adaptation, microbusiness, concierge and a number of others. *(Time expired)*

Mr BARTON (Eastern Metropolitan) (11:46): Thank you, Minister. For many business owners it is not just a matter of getting their business back on track. The pandemic has taken a toll on their mental wellbeing. What is the government doing to assist Victorian small business owners and their staff in managing their mental health?

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (11:46): I thank Mr Barton for his question and his care for small business owners and operators that have really been on our other front line through these last couple of years. I grew up in a small business family during the recession in the early 1990s, and I can remember really vividly how challenging that experience is—that responsibility to staff, that responsibility to customers and clients—when faced with circumstances entirely outside of your control. What has occurred the last 2½ years no business could have planned for, no business could have saved for. It has been extraordinary, and people have been extraordinary. So I would encourage, again, all members and Mr Barton to please encourage people to make use of the mental health and wellbeing program and the recovery and resilience programs that have been designed for small business— *(Time expired)*

Ms Lovell: On a point of order, President, as I started my question—there was a lot in my question, I know—Mr Gepp interjected with a term that is particularly derogatory to people who live in public housing. He said, 'It's a great day to be a houso'. That is a really derogatory term. It was the title of a spoof show that was about public housing tenants that did not paint them in a very favourable light. I ask that you ask Mr Gepp to withdraw his comment, which was derogatory towards all people who live in public housing.

Members interjecting.

The PRESIDENT: Order! Mr Gepp! Your point of order, Ms Lovell, would have been more appreciated when it happened, straightaway. I would have understood. Listening to the debate on both questions, I will have to come back to this. Can you repeat the word he used, please, Ms Lovell?

Ms Lovell: He said it was a great day to be a 'houso'. That was the title of a TV show that was very derogatory.

The PRESIDENT: Ms Lovell, to be honest I do not know if the word is unparliamentary, but I will get back to this. Let me think about it, and I will get back to you.

Ms Shing: On the point of order, President, it is ordinarily the case and has been the subject of rulings from the Chair that, if there is language which is unparliamentary or derogatory, it is the person to whom the language might be directed who makes a complaint and asks for a withdrawal. I understand that Mr Gepp, should he have made that comment, would in fact have been referring to himself, and therefore it would be incumbent upon him to raise a request for that to be withdrawn.

The PRESIDENT: Thank you for your assistance. I will come back to this.

MINISTERS STATEMENTS: VICTORIAN LAW WEEK

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:50): We had another fantastic law week last week, with over 190 events across a range of topics that brought important legal information to all members of the community. I congratulate the Victoria Law Foundation for their impressive efforts in bringing this together and thank all the partner organisations and presenters for their contributions. Victorian Law Week is a festival that makes learning about the law easy. The extensive program included free legal advice and information, panel discussions, interviews with prominent people, legal workshops and much more. There were in-person events as well as webinars, on-demand videos and phone consultations. These events were open to everybody and were almost entirely free. They helped people learn about how the law affects their life, find answers to legal questions and meet the people who resolve disputes and enforce our laws.

On Friday I visited the Whittlesea Community House as part of law week's seniors squad. It was a fantastic event, and it was there to teach the local community about legal issues that are important to our older community members, such as powers of attorney, family violence and elder abuse. We heard from a panel of dedicated experts from the Whittlesea community legal service, La Trobe Law School, My Aged Care and Uniting financial counselling. The Whittlesea Community House provides critical services in partnership with the Whittlesea community legal service and the law school and has set up a legal clinic to assist locals with their legal concerns.

I loved meeting the students. They were so passionate and excited about the role that they are playing there. It is inspiring to see these people so early in their careers getting out there and helping grassroots people with their legal issues and really giving back to the communities that they are part of. The Whittlesea community legal service do showcase just how vital their work is in supporting vulnerable community members, and I know that this is replicated across much of our community legal sector, who are just a fantastic sector and provide such a great service for Victorians. Of course the law should be accessible to everyone no matter their pay cheque or postcode, and I am proud of organisations and individuals that work tirelessly to achieve this aim.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (11:52): My question is for the Minister for Emergency Services. Minister, when did you become aware of the legal actions against ESTA, and will the government behave as a model litigant in this legal action brought by families who have lost loved ones due to the failings of ESTA, an organisation you administer?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:53): Mr Davis, I became aware yesterday. In relation to these matters, as I have said on numerous occasions, my thoughts are always with anybody who has lost a loved one under any conditions, but I think in emergency situations we know they are doubly traumatic and often unexpected. Of course everything I continue to advocate for, everything that I continue to work hard for, is about putting ESTA in the best possible position to provide a service that they can be proud of for every Victorian and that every Victorian can rely on. As you know, there has been \$360 million invested since I came into this portfolio in this regard.

Legal cases will run their course, but coming back to a similar answer to one which I gave Ms Lovell, it is extremely inappropriate for me to pre-empt any of the existing investigations as the inspector-general for emergency management is looking at these matters. As I have continued to say, only the coroner can attribute a cause of death or injury in relation to some of these cases that I know are being looked at. In relation to the substance of your question, yes, we are bound by guidelines that require us to act as model litigants, and it would be absolutely my intention to ensure that anybody participating in any legal action does so, particularly given the remit of my portfolio responsibilities. As both the Attorney-General and the Minister for Emergency Services, I am probably more across these issues than many, so that would be certainly something that I would commit to, Mr Davis.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (11:55): I welcome the fact that the minister has committed to act as a model litigant in this matter. I ask also: is it a fact that the Andrews Labor government has spent up to \$50 000 in defending this action? If this is not correct, how much has been spent to date?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:55): Mr Davis, there is no action yet, so I do not know how to answer your question.

POLICE NUMBERS

Ms MAXWELL (Northern Victoria) (11:55): My question is to the Minister for Training and Skills and Minister for Higher Education, for the Minister for Police in the other place. Reports of unpublished government modelling suggest the need for 1500 additional police over the next four years, backed up by concerns from a police survey that staff are being taken from core shifts and patrols and not attending jobs and reported crimes cannot be followed up. Recently I received a complaint from a constituent in Seymour who pressed their duress alarm at work and waited an hour for police to respond. Just this week Wangaratta and Wodonga stations had 51 officers on leave and only six officers temporarily deployed as backfill. The budget includes provision for 500 additional police, and so my question is: what is the modelling for staffing needs in Northern Victoria and how many of the 500 announced in the budget will be allocated to Northern Victoria specifically?

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (11:56): I thank Ms Maxwell for her question, a question to the Minister for Police, and I will refer the matter to Minister Neville for her response.

Ms MAXWELL (Northern Victoria) (11:56): Thank you, Minister. Police union representative Wayne Gatt said:

In policing we are late or never come all the time ... because we don't measure it, no one knows.

This concern was raised back in 2011, more than a decade ago, by the former deputy commissioner Bob Falconer. So my supplementary question is: more than 10 years on, will the government initiate public reporting of Victoria Police response times so we can get a transparent understanding of this key indicator measured against the police resources allocated in successive budgets?

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (11:57): I thank the member for her supplementary question. This is a matter in terms of staffing levels of police, and it will be referred to the Minister for Police for a response, as per standing orders.

MINISTERS STATEMENTS: AUSLAN TRAINING

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (11:57): This week is Education Week, and I am proud that the Andrews Labor government has committed to access and inclusion in education, training and skills. Last week it was my privilege to attend RMIT to announce the diploma of Auslan and the advanced diploma of Auslan interpreting being added to the free TAFE list in 2023. I was joined by Sheena Watt, a member for Northern Metropolitan, and many leaders from the deaf and hard-of-hearing and deafblind communities in Victoria. It was humbling to be joined by community leaders and told of how important this announcement is. It is a program that will change lives. By including these qualifications on the free TAFE course list we are not only building a pathway to a great career but importantly supporting our deaf and hard-of-hearing and deafblind communities and their families, friends and colleagues.

Auslan interpreters are critical to supporting these communities in important settings, including all educational environments and medical, legal and financial appointments, and in engaging in arts and entertainment and so many other public forums. I met Heather Lawson, board member of Deafblind Victoria. Heather uses tactile Auslan signing to communicate. Can I sincerely thank Heather for her insights, which were a privilege to hear, and her continuing advocacy in the community. Auslan is part of deafblind culture, and I do recall when those opposite, when in government, cancelled Auslan from the TAFE course list. It was distressing to see the impact on the community members in the gallery of this chamber in 2013 and 2014. I am proud that this government recognises the importance of Auslan as a language and a career and the cultural role it plays in many communities.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (11:59): My question is again for the Minister for Emergency Services. I refer to the Ashton report released on Thursday, just before the federal election, and I ask: in compiling this report, how many families whose loved ones had died as a result, in whole or in part, of the incompetence or failure of ESTA did Mr Ashton meet with?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:00): Mr Davis, I am not sure if you have read the Ashton report, because if you had you would know that it goes to the service and capability of the organisation. It is about structural reform. It is about MOG changes. It is about rebranding. It is about procurement. It is about intelligence. It is about the culture of the organisation. Mr Ashton was engaged just prior to me becoming minister and spoke to a lot of people in relation to call taking and dispatch, spoke to the industrial partners, spoke to the emergency organisations. His job, if you read the terms of reference—I think it is on page 5 of the report; I would draw your attention to that—was not to sit down and talk to every individual who had experienced a poor outcome that may have had a connection to call taking or dispatch and the like. That is a matter for the IGEM, and I am just not quite sure how I can more clearly continue to articulate this. We have established practices for when there is an issue that needs to be reviewed. That is the inspector-general for emergency management—that is what he does—and then he may inform the coroner in relation to any incidents that involve death. Mr Ashton was engaged to look at the organisation's structure, how it operates within government and how it interacts with its emergency service partners, and that is what his report did. So in relation to your question, you have a fundamental misunderstanding of people's roles here, and I am trying to make it clear to you. Please read the report, and you will realise that your question is not appropriate.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:01): What is clear here is that Mr Ashton did not talk to those who have suffered, those whose loved ones have died, those who have

suffered as a result of the incompetence of the organisation, and the minister wants to excuse him. He could well have met, with those terms of reference, with such people who have been terribly impacted. I ask the minister: given Mr Ashton appears not to have met with ESTA's most important stakeholders, will you meet with a group of families who have lost loved ones yourself?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:02): Mr Davis, I will remind you that there are appropriate review mechanisms and reporting mechanisms for people that look at these issues. But to be very clear, I speak to families all the time. I spoke to families last week before the release of the Ashton report to let them know. I spoke to people about the budget outcome and listened to their stories. It is one of the motivating factors for me to pay full attention to this issue and work with Stephen Leane and the team out at ESTA to make sure that we are getting on top of call delays. I note your disappointment when I come in here and say, 'We are on track. We are getting better and better at call taking even though the call demand is not decreasing'. The new normal is that we are a third more to double more than what we used to be pre pandemic levels, when we were meeting benchmarks, and this team is on track to start meeting those benchmarks very soon as we roll more and more call takers out each and every day, and I am focused on that outcome.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:03): I move:

That the minister's answer be taken into account on the next day of meeting.

Motion agreed to.

POLICE CONDUCT

Dr RATNAM (Northern Metropolitan) (12:03): My question is to the Attorney-General. Last week IBAC released a very troubling report into Victoria Police and their handling of complaints made by First Nations people. The report found that 41 per cent of complaints audited contained indicators of bias on the part of investigators and 42 per cent contained deficiencies in managing conflicts of interest. This is particularly of concern given only 2 per cent of complaints against police are handled by IBAC, with 98 per cent handled internally by Victoria Police. This report also comes after repeated calls from First Nations justice groups and human rights groups for police complaints to be handled independently of the police themselves. I understand there is a systemic review of police oversight underway. Attorney, given these recent IBAC findings add even more urgency to reform of police oversight, could you please provide an update to the house on this review and time frames for implementing reforms?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:04): Thank you for your question. It is an important issue that you talk about. I too meet with First Nations representatives on these issues regularly, and it is important to a range of people. It is therefore, as you would be aware, also a recommendation from the police informants royal commission, recommendation 61, in relation to responding to the recommendations for a systemic review.

An update that I can provide to you is that the review has been undertaking both targeted and public consultation processes to hear people's lived experiences of the police complaints system and feedback on areas of reform. It has included 50 consultation meetings on six thematic issues papers developed by the review to explore issues in the current framework, and we have received about 100 public responses to date. Of course we have committed to a robust, transparent and effective police oversight system. We certainly want the highest standards of integrity within Victoria Police, and so of course do Victoria Police themselves.

In relation to the report last week, it will provide some additional valuable insights in line with the consultations that we are having. We have received a wide range of views in this. A lot of people are interested in coming forward, and I think this report has also generated a new interest in people wanting to be participating in the consultations. They are still ongoing and the reforms are still being developed,

and we will continue to work with the stakeholders as raised directly through advocates to me but also through the Aboriginal Justice Forum.

Dr RATNAM (Northern Metropolitan) (12:06): Thank you, Attorney, for your answer, and I am pleased to hear that the reforms are underway. This government has invested in more police officers than New South Wales, despite having fewer people and less land area, and the government has committed to over 500 more police and 50 PSOs again in this year's budget. But the number of incidents of serious misconduct, incompetence and cultural problems in Victoria Police has grown at a greater rate than recruitment. Can Victorians have confidence that the reforms being considered will lead to the Victoria Police having the highest standard of police force in the nation in terms of culture, integrity and diversity and not just the biggest force?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:07): I believe I addressed those issues in Dr Ratnam's previous question. But, to repeat, this review and the people that have contributed to it are all working closely on this, particularly with Victoria Police. The integrity agencies are involved as well. Of course we want Victoria's police oversight system to be strong and transparent and, importantly, to meet the diverse needs of our diverse community, and certainly that is the aim that we are working towards.

MINISTERS STATEMENTS: MOUNT MACEDON MEMORIAL CROSS

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:08): Recently I was very privileged to visit the Mount Macedon memorial cross to announce to the members of the Mount Macedon memorial cross committee of management the good news that the Andrews Labor government has allocated \$810 000 to upgrade the cross reserve and surrounds. Mary-Anne Thomas, the member for Macedon—a very good member—and the committee of management have been advocating for some years to improve accessibility and visibility for attendees at the annual memorial services, along with improving the visitor experience for the many people who visit the cross throughout the year. The Mount Macedon cross draws visitors every day, all around the year. They visit for the views and the natural beauty of the location but also in quiet contemplation to pay their respects and commemorate the service and sacrifice of veterans.

Delivering on the aspirations of the master plan completed last year, the \$810 000 project will be delivered over two years. The project will improve visitor access and safety and expand on the viewing areas to increase the number of people who can attend the Anzac Day service, and it will include works to provide more places for people to be seated and standing at events. General improvements to the car park, bus parking, seating and bollards, along with upgrades to signage and interpretation, will be undertaken to enhance and improve the day-to-day amenity and experience for visitors to the site. I congratulate and thank all the members of the Mount Macedon cross committee of management for their ongoing voluntary contribution to protecting and enhancing such an important site for veterans and the Victorian community.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Ms CROZIER (Southern Metropolitan) (12:10): My question is to the Minister for Emergency Services. Minister, Graham Ashton's report highlighted how your government kept ESTA at 'arm's length'. This distance, according to Mr Ashton:

... has reached a point where it has become difficult for ESTA to obtain sufficient support in the delivery of operational and corporate services and, importantly, make a convincing case to government for investment.

As such, Minister, do you agree that your government's handling of ESTA has resulted in a lack of support and underfunding that led to the loss of lives while waiting on hold, or is Mr Ashton wrong in his assessment?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:10): Ms Crozier, you will note, because I would assume that you have read the report, that Mr Ashton's report was at a point in time in October 2021. He goes to great length to point out the investment, the new management's approach and the emergency services lens being brought to that organisation and indeed identifies that there have been improvements where they needed to be made in relation to the urgency and the immediate things that we needed to do to ensure that we could support the core business of the organisation, which is call taking and dispatch. His further recommendations go to longer term structural improvements to make sure that we have the support of a large government department for some of those back-of-house roles—procurement, HR and the like. That will, as he identified, embed long-term improvements for that organisation.

It is important to note that I do not want this organisation distracted by these long-term changes. I want them focused on call-taking speeds and dispatch so that we can make sure that we are hitting those benchmarks that this organisation so proudly delivered until a pandemic hit us. I am so grateful for their continued efforts with massive call demands because of the impact COVID has had on the community, which is impacting the whole health service. But this is the entry. ESTA is the entry to our health care. We know the pressures they are under, and we know the improvements they are making each and every day. As I think I have said in every one of my answers today, I will continue to stay focused on these issues and support this amazing organisation to provide the best service to Victorians.

Ms CROZIER (Southern Metropolitan) (12:12): Minister, I have just listened to your answer. The problems within ESTA have been well known for many years and well before COVID. You keep using COVID as the excuse, but the issues with ESTA were known in 2016. The issues within ESTA have been known for years. Minister, how can your government be trusted to implement these reforms, considering your track record of ignoring ESTA's calls for help?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:13): The amnesia of your side on how you run a health system is just appalling. I am very confident that the Victorian public know who is best to lead a health system, and it ain't you guys.

KOALA HABITAT

Mr MEDDICK (Western Victoria) (12:13): My question is for the minister for the environment. Only a few years ago dozens of koalas were massacred in a clear-felling operation at Cape Bridgewater, near Portland. Koala rescuers from this region have since been pleading for protected koala habitat. They are currently rehoming on private farmland with permission, but what is desperately needed is long-term protected koala habitat. One option is to plant out the rail trail that bridges both Warrnambool and Moyne councils. This proposal would also be a boost for tourism as the current barren rail trail is often used as a walking track by visitors who could enjoy spotting koalas along the way. This situation is urgent; it takes eight years for a planted area to become viable. Until then koalas are forced to graze from the ground, forcing unnatural behaviour and putting them at threat in order to survive. Will the minister answer the pleas to plant koala habitat in this part of Victoria?

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:14): Thanks, Mr Meddick, for that question. It is a question for the minister for environment, and I will ensure that that question gets to that minister and you get a response within what is prescribed in the standing orders.

Mr MEDDICK (Western Victoria) (12:14): Thank you, Minister, for forwarding that on. A number of koala advocates have expressed that a program for farmers and landowners to plant trees to support koalas would help them to survive. Koala rescuers have a number of willing participants who would be happy to do this. What programs does the government have in place to support farmers and landowners to plant trees on their properties?

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:15): Once again I thank Mr Meddick for his question, and I will ensure his supplementary question gets to the minister for environment and that he gets an appropriate response within the appropriate time.

MINISTERS STATEMENTS: EXTRACTIVES INDUSTRY

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:15): It is my pleasure to update the house on the work the government is undertaking to support the extractives industry to supply Victorian businesses and families with the affordable sand, gravel and hard rock that is needed for construction. Victoria's population is set to reach 10 million people by 2050, requiring 1.6 million new homes, an unprecedented amount of new infrastructure such as schools and hospitals and the investments needed for a well-connected, modern transport network. Quarry operators, big and small, play an absolutely vital role in ensuring affordable and accessible material is available close to where it is needed.

The best way the government has to address the rising cost of building materials is to support the expansion of supply, and I am proud to inform the house that the government is committed to funding and delivering regulatory reform for a responsible industry to keep the cost of construction down for Victorians. This includes \$2 million in funding in the recent state budget that will go towards the reform of regulation for minerals resources. Excitedly some reform is already underway. The earth resources regulator from my department is one of the first in the state to have participated in the Better Approvals for Regulators program. The program will deliver immediate work plan assessment improvements for quarry operators. The program aims to create a more efficient regulatory process and improve transparency for industry and for the community. This will get quarry materials to market in a more efficient manner while maintaining stringent environmental and safety standards.

Last week I had the opportunity to meet with key representatives from the Cement, Concrete and Aggregates Australia group to discuss the outcomes of the program and the important role of the extractives sector in keeping a growing Victoria affordable for all communities. I would like to take this opportunity to once again thank all quarry operators, for their continued support of the Victorian construction industry, and my department regulator, for overseeing the safe extraction of Victorian materials where appropriate at a standard that is supported by the Victorian community.

WRITTEN RESPONSES

The PRESIDENT (12:17): Regarding questions and answers today: Ms Maxwell to police, Ms Tierney, question and supplementary, two days; and Mr Meddick to environment, Mr Leane, two days, question and supplementary.

Rulings by the Chair

UNPARLIAMENTARY LANGUAGE

The PRESIDENT (12:17): Regarding the point of order raised by Ms Lovell, I was thinking about the word. Ms Lovell, as you know, with every ruling we make here, whether we go to previous rulings or not, future members and presidents will look at our ruling. I do not believe 'houso' is an unparliamentary word, so I am going to rule it out.

Constituency questions

WESTERN VICTORIA REGION

Mr GRIMLEY (Western Victoria) (12:18): (1783) My question is to the Minister for Water. The Surf Coast is blessed with many areas of natural beauty. One of these is the Curdies River estate near Peterborough. The estuary is a haven for endangered wildlife and vegetation where locals and many tourists enjoy fishing, boating and swimming. A constituent, Ms Carolyn Wakefield of Peterborough,

has raised with me details of a serious environmental event in the estuary which has seen the death of many fish as well as the water being sullied by numerous dead cattle. I understand the Department of Environment, Land, Water and Planning has tested the water and confirmed a toxic algal bloom. Locals have expressed concern, however, that there may be other factors which have contributed to the current situation. Reporting indicates an ongoing and worsening problem, and I hope that the government has a plan to ensure the future and ongoing health of the Curdies River estuary. My question is: Minister, will you explain the details of the testing undertaken by DELWP, including the locations used and what contaminants were tested for?

EASTERN METROPOLITAN REGION

Dr BACH (Eastern Metropolitan) (12:19): (1784) My constituency question is for the Minister for Transport Infrastructure. Everybody who lives in Surrey Hills, as I do, knows that the best place to go for coffee is to the Steam Coffee Company. However, twice now over the course of the last few weeks the Minister for Transport Infrastructure and her Level Crossing Removal Project have placed significant materials related to their botched level crossing removal directly in front of the door. This has led to a 70 per cent reduction in custom because everybody who walks through Union Road simply thinks that Steam must be shut. Steam has met with officials from the LXR. However, they have not got a good hearing. They need to know that, firstly, this will not happen again. There is no need to dump significant equipment directly in front of the door of this treasured local cafe. If there is to be any further disruption to Steam, then the minister simply must do the right thing and actually let them know in advance.

SOUTHERN METROPOLITAN REGION

Mr HAYES (Southern Metropolitan) (12:20): (1785) My question is to the Treasurer. A local heritage and housing advocacy group in Boroondara has asked me why the government continues to fail to implement the vacant residential land tax on the estimated 69 000 empty or ‘ghost’ homes of Melbourne. There are estimated to be 6558 of these vacant homes in the Camberwell-Burwood area and 12 215 in Hawthorn. The residents group says the current system of self-reporting and voluntary payment of tax is not working, with reports of some owners not even being aware of the tax. Of the 69 000 ghost homes, only 712 were self-reported to be vacant. It is estimated these empty properties could house more than 185 000 people—very useful accommodation considering our housing supply crisis. The residents would like to ask the Treasurer: will the government address this issue by changing voluntary to compulsory and working to implement regulation around non-disclosure?

NORTHERN METROPOLITAN REGION

Mr ONDARCHIE (Northern Metropolitan) (12:21): (1786) My constituency question is for the Minister for Education. Residents in Melbourne’s north are concerned about the state of their secondary schools. I recently met with the community group Rise North, which was formed because of the lack of equality of educational opportunities in our secondary school system. They have over 900 members. They reported to me that public secondary schools are not well utilised and not reflective of the community’s needs. There is a lack of opportunities for students zoned for John Fawcner secondary and Glenroy secondary college. These schools do not offer as broad a range of subjects, curriculums or programs as other schools do, limiting the ability of the students to thrive and excel during their educational journey. My question for the minister is: will the government develop an educational plan for the northern suburbs focusing on equality of opportunity for and increasing local community support for and enrolments at Pascoe Vale Girls College, John Fawcner secondary college and Glenroy secondary college and implementing a broader range of subjects, including but not limited to select entry accelerated learning programs or similar, to meet community needs and wants across these three schools to improve student engagement and outcomes? The residents feel they are being taken for granted in Melbourne’s north, and they want a better education for their children.

WESTERN VICTORIA REGION

Mrs McARTHUR (Western Victoria) (12:22): (1787) My question is for the Minister for Regional Development and concerns the Ballarat GovHub. As recently as 16 November last year, in a statement to Parliament, the minister boasted that:

... as the members for Wendouree and Buninyong ... will attest the Ballarat GovHub is revitalising the Ballarat CBD, accommodating up to a thousand jobs and attracting workers ...

Businesses actually in Ballarat CBD, however, know this is simply not true. An essential justification for the \$100 million-plus cost was to relocate jobs and revitalise the city's economy. As the Ballarat *Courier* reports, this just has not happened. Have the bureaucrats stayed in Melbourne or are they just working from home? Either way, it looks like the astonishing bill for moving them has been totally wasted. My question for the minister is: how many public service staff permanently work in the Ballarat GovHub and how many are currently attending the building each day?

WESTERN METROPOLITAN REGION

Dr CUMMING (Western Metropolitan) (12:23): (1788) My question is to the Minister for Health in the other place, and it is from Sean in Manor Lakes. Will the minister phone Sean and offer an apology and an explanation? Sean's four-year-old son has respiratory issues, and on their doctor's advice he went to Werribee Mercy Hospital around 6.00 pm. Around 8.00 pm a nurse confirmed that Sean's son had a stridor, and they gave him Ventolin and steroid cream. At 12.30 am there had been no further checks and they still had not seen a paediatrician. Finally they saw a paediatrician, who gave more Ventolin and sent him home. At 5.00 am they had to take him to the Royal Children's Hospital. This four-year-old boy had to sit in the emergency department for over 10 hours without a blanket. He was told that there were no blankets, that they had no blankets for him—no more care than the doctor provided before they arrived. Minister, could you please explain?

NORTHERN VICTORIA REGION

Ms LOVELL (Northern Victoria) (12:24): (1789) My question is for the Minister for Education. The minister, ably assisted by the independent member for Shepparton, has continuously patted himself on the back for closing four state secondary schools in Shepparton and Mooroopna and creating the single-campus Greater Shepparton Secondary College, which has been plagued with problems from day one. The latest challenge involves access to toilets. The school is divided into nine houses of up to 300 students, each spread across three neighbourhoods, with a total of 108 toilets throughout the school for student use. Students have informed me that earlier this year the school closed the 27 disabled toilets, as students were using this space to wag class. To make matters worse, students now report that the school has closed another 54 toilets due to damage caused by students. This leaves just 27 operational toilets to cater for an enrolment of 2200 students. That averages over 81 students per toilet. What is the minister doing to ensure there are adequate toilet facilities, especially for disabled students, at the new Greater Shepparton Secondary College?

EASTERN VICTORIA REGION

Ms BATH (Eastern Victoria) (12:26): (1790) My question is for the Minister for Energy, Environment and Climate Change. In 2018 the Andrews government came to the Latrobe Valley promising Solar Victoria the Morwell GovHub would create 50 new local jobs. At the time the advert said, 'Flexibility may be negotiated for a base location of Melbourne by the successful applicant', and then said, 'Location: Melbourne or Morwell'—so Melbourne or Morwell. At the time, this was unacceptable. At the Public Accounts and Estimates Committee last week, Minister, you said that Solar Victoria now has established 73 jobs. Thirteen of them are at the executive level—13 executives. Solar Victoria has been struggling to meet its performance tasks, with a whopping overrun of \$44 million. Minister, given that you promised Solar Victoria would create 50 jobs in the Latrobe Valley, exactly how many of these Solar employees are primarily based in Morwell and the Latrobe Valley and how many are based in Melbourne?

NORTHERN VICTORIA REGION

Mr QUILTY (Northern Victoria) (12:27): (1791) My constituency question is for the Minister for Police. It seems that it is not just ambulance response times that are broken in Northern Victoria. Reports this week are suggesting that Wodonga, Wangaratta and smaller surrounding police stations have been decimated with staff shortages; 51 staff are off work. We are told the shortfall has been driven by stress and COVID restrictions. This is severely impacting the ability of police to respond to incidents in the Wodonga and Wangaratta regions. When towns the size of Wodonga and Wangaratta have only one or even no divisional vans on the road, you know the system is completely broken. These reports back up constituent complaints that have been raised with my office. I have had a number of people reporting, having called police for assistance, being told there was no car or officer to assist, or they find their response times are very, very long. Once again we see the regions are not a priority for this Melbourne government. Minister, what are you doing to address this shortfall in policing numbers in Northern Victoria?

Petitions

Following petition presented to house:

YARRUNGA COMMUNITY CENTRE

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the need for a bus stop for the Yarrunga Community Centre on Croydon Hills Drive in Croydon Hills, located on the outer east of Melbourne, within the Maroondah City Council.

The Centre services over 1,000 people per week ranging from young families, teens, seniors, a high number of Burmese migrants, refugees and adults with disabilities. The Centre is 500 meters from the nearest bus stop. While this may not seem far for many people, the journey consists of large hills and is on a dangerous road, making it unsafe for the elderly and people with mobility issues.

Many who access the Centre either do not drive, are no longer driving due to their age, or do not feel safe walking the distance on their own, resulting in increased isolation and loneliness. The Centre currently hires a community bus but no longer has the funds to continue this practice.

The road outside the Centre has enough width and shoulder areas to allow for alighting a vehicle without disrupting traffic flow. It is already being used by school buses.

The petitioners therefore request that the Legislative Council call on the Government to review public transport services to the Croydon Hills area, include Croydon Hills Drive as part of the existing bus route 672 and create a bus stop directly outside the Yarrunga Community Centre.

By Mr BARTON (Eastern Metropolitan) (197 signatures).

Laid on table.

Bills

FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION LEGISLATION AMENDMENT BILL 2022

Introduction and first reading

Ms MAXWELL (Northern Victoria) (12:28): I move to introduce a bill for an act to amend the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 and the Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Act 2021 to provide for additional specified forms of cancer that are presumed to be caused by the nature of a firefighter's employment for the purposes of claiming compensation, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Ms MAXWELL: I move:

That the second reading be made an order of the day for the next day of meeting.

Motion agreed to.

Committees

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 7

Mr GEPP (Northern Victoria) (12:29): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 7 of 2022 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

Motion agreed to.

Papers

PAPERS

Tabled by Clerk:

Essential Services Commission—Accident towing fees review 2021; Final report, 1 April 2022, under section 212G of the Accident Towing Services Act 2007.

Municipal Association of Victoria—Report, 2020–21.

Planning and Environment Act 1987—Notices of Approval of the following amendments to planning schemes—

Baw Baw Planning Scheme—Amendment C139.

Boroondara Planning Scheme—Amendment C355.

Cardinia Planning Scheme—Amendment C257.

Greater Bendigo Planning Scheme—Amendment C261.

Greater Geelong Planning Scheme—Amendment C422.

Mansfield Planning Scheme—Amendment C50.

Moreland Planning Scheme—Amendment C216.

Nillumbik Planning Scheme—Amendment C131.

Stonnington Planning Scheme—Amendments C297, C317 and C318.

Victoria Planning Provisions—Amendment VC218.

Statutory Rules under the following Acts of Parliament—

Child Wellbeing and Safety Act 2005—No. 25.

Gas Safety Act 1997—No. 29

Long Service Benefits Portability Act 2018—No. 26.

Road Safety Act 1986—Nos. 30 and 31.

Service Victoria Act 2018—No. 27.

Summary Offences Act 1966—No. 28.

Subordinate Legislation Act 1994—Documents under section 15 in respect of Statutory Rule Nos. 24, 26, 27, 30 and 31.

Business of the house**NOTICES**

Notices of motion given.

Notices of intention to make a statement given.

GENERAL BUSINESS

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:36): I move, by leave:

That precedence be given to the following general business on Wednesday, 24 May 2022:

- (1) order of the day made this day by Ms Maxwell, second reading of the Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2022;
- (2) the notice of motion given this day by Ms Crozier on the Ashton review into the capabilities of the Emergency Services Telecommunications Authority;
- (3) the notice of motion given this day by Mr Davis on funding for the Independent Broad-based Anti-corruption Commission and the Victorian Ombudsman;
- (4) the notice of motion given this day by Mr Quilty on the establishment of a royal commission into the integrity of COVID-19 public health directions;
- (5) order of the day 63, resumption of debate on a production of documents motion relating to correspondence between the Premier and Mr John Woodman and his employees and companies; and
- (6) notice of motion 768, standing in the name of Mr Davis on Victorian Building Authority fee increases.

Motion agreed to.

Members statements**TRANSPORT INFRASTRUCTURE**

Dr BACH (Eastern Metropolitan) (12:37): I was heartened recently to read some public comments by the then federal Shadow Minister for Infrastructure, Transport and Regional Development, Ms Catherine King—and my presumption is that Ms King may be shortly joining Mr Albanese's cabinet.

Mr Gepp: Hear, hear!

Dr BACH: Well, hear, hear—quite right. She said some fascinating things about transport infrastructure. She put on the record her view that should there be a change of government here in November, as there may be, then she will work cooperatively and productively with a future Matthew Guy-led Liberal and National Party government to deliver the east–west link, and I welcome those comments. She confirmed that of course \$4 billion had been set aside over a long period of time by the previous coalition government and that that would be made available.

She also had some commentary about the Suburban Rail Loop. Those opposite want to talk about the Suburban Rail Loop; that is fine. She responded to questions about why it is that the pledge from the federal Labor Party at this election was of such a lesser amount than the pledge at the last election, and she said the reason was that she needed further information before she was sure that the entire project stacks up. That was the entirety of her language. In doing so, she mirrored the comments that I have made previously and those of us on this side of the house have made previously about the need to ensure that we heed the advice of the Auditor-General and make sure that when we move forward with major projects we do so after there has been a rigorous process, which there has not yet been for the Suburban Rail Loop, notwithstanding the fact that undoubtedly the idea of greater linkages between the spokes in Melbourne's hub-and-spoke rail model has merit.

So I want to note the bipartisan and cooperative approach of Ms King and also note that should she become the minister, indeed no matter who becomes the minister, we on this side of the house will continue to engage in that approach also.

SEASONAL WORKER ACCOMMODATION

Mr GEPP (Northern Victoria) (12:39): I rise to advise the house that in April I visited Robinvale to announce \$744 000 worth of funding under the seasonal workforce accommodation program for the construction of the new Robinvale backpacker facility. The project will support up to 60 seasonal workers with the construction of the 20-shared-bedroom facility. This project in the heart of the Mallee will be a valuable addition to the region, as accommodation is limited and this has been a barrier for workers wanting to stay in town.

MALLEE DISTRICT ABORIGINAL SERVICES

Mr GEPP: On another matter, in Kerang I announced \$240 000 towards a much-needed opportunity for Mallee District Aboriginal Services. MDAS will now complete the necessary assessment, approvals and planning to enable the Kerang Aboriginal health and wellbeing centre project to move from the early concept plan to an investment-ready project.

FEDERAL ELECTION

Mr GEPP: Finally, can I thank all of those former and current public housing residents in Northern Victoria who have reached out to me since the election of the Albanese government on Saturday night. We are so proud that one of ours is now occupying the highest elected position in the land. We wholeheartedly wish Mr Albanese all the very best in his role as Prime Minister of this great country, and we welcome him here in Victoria, including in Brighton, any time he would like to visit.

FEDERAL ELECTION

Dr RATNAM (Northern Metropolitan) (12:41): I am so proud to be part of a movement that saw a historic Greens-slide towards stronger action on climate change at the weekend's election. More people voted Greens than ever before, helping to keep the Liberals out. They voted for action on climate, for a phase-out of coal and gas and for tackling inequality.

Congratulations to Adam Bandt and Greens around the country—a phenomenal result with at least three and maybe up to five lower house seats and the balance of power in the Senate with a record 12 senators. In Victoria more people voted Green than anywhere else in the country. Lidia Thorpe was re-elected on our biggest Senate vote ever. We saw strong swings across the state, particularly in seats like Macnamara, which is still in contention, and Cooper.

The decline in both the Liberal and Labor vote in Victoria shows voters want representatives who will push for faster action on climate, address inequality and bring integrity back to Parliament. It is clear that people across the country are moving away from the outdated two-party system and want to see more diverse and independent voices representing them. Our amazing people-powered movement is ready to take the momentum of this incredible Greens campaign into November to see even more Greens elected in Victoria to push the next government to go further and faster on phasing out coal and gas and tackling inequality, which in Victoria means fixing the housing crisis.

TAKEOVER SHEPPARTON

Ms LOVELL (Northern Victoria) (12:42): Last Thursday I attended the red carpet premiere of Takeover Shepparton, an exciting new storytelling and leadership program from the ABC and VicHealth, who worked with local schools and organisations to support over 1000 teenagers from all over Shepparton to speak up about what is important to them, and I would like to congratulate all participants.

The red carpet screening at the Village theatre featured the stories from the 44 winners who were selected to work with the Takeover team to produce stories for the ABC. One of the finalists, Jhett, is a student from the Education First Youth Foyer in Shepparton. Jhett had left school early but has now returned to school. Having access to stable housing in the youth foyer has given Jhett the opportunity to complete his education and will assist him to build a better life for himself. Members will know that

I am very proud of the Education First Youth Foyers, which I founded during my term as housing minister. All three youth foyers are changing the lives of young people and are perfect examples of the difference we can make to people's lives through access to affordable and stable housing and education.

During my term as minister we celebrated the 75th anniversary of public housing in Victoria by telling the stories of many former residents who, having grown up in public housing, went on to become leaders in our community. Last week we saw Anthony Albanese sworn in as our new Prime Minister, and over the past few years we have heard his story of growing up in public housing. I congratulate him on his success and hope his story will be an inspiration to every child in Australia. Both the Prime Minister and Jhett— *(Time expired)*

WIMMERA PRIDE PROJECT

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:44): The federal election campaign again illustrated how incredibly important it is for all of us to affirm and support that all Victorians, no matter where they live and who they are, are to be accepted and loved for who they are. The Wimmera Pride Project has advocated on behalf of their community, resulting in the overturning of a decision of the West Wimmera council to not fly the rainbow flag for IDAHOBIT. As we celebrate volunteers in the month of May I would like to thank the Wimmera Pride Project committee, all volunteers, for their tireless support of the LGBTIQ+ community. I also thank the West Wimmera Shire Council for calling a special meeting of council to rescind their previous decision.

Our government is committed to ensuring Victoria is full of safe, strong and sustainable communities. This is why the Rainbow Ready road map is so important, providing a set of resources for Victorian regional and rural communities to build lesbian, gay, bisexual, trans, gender-diverse, intersex and queer inclusion. We need to continue to build safe spaces for all people in our community, and advocates such as the Wimmera Pride Project are to be congratulated for their important work in righting this wrong.

FREEDOM OF SPEECH

Mr FINN (Western Metropolitan) (12:45): I joined the Liberal Party on 27 February 1981. I joined because I believe in freedom—in particular freedom of speech. In the 41 years since, every day I have worked for the party that told me it too believed in freedom. All that came to an end this morning when my membership of the parliamentary Liberal Party ended, as did any claim the Victorian Liberal Party had as a supporter of freedom of speech. It is a sad day for me, but it is also a sad day for thousands of members of the Liberal Party across the state. Tragically, the party that I joined is no more. The party of Menzies and Howard is no more. The party of Bolte and Kennett is gone. So many conservatives and libertarians are now right across Victoria without a political home. They look at November not knowing where their vote will go. It is with overwhelming sadness that I have to admit I feel exactly the same way.

SUNDARKAND PAATH

Ms VAGHELA (Western Metropolitan) (12:46): This year Sundarkand Paath, the live musical recitation of the fifth chapter of Shree Ram Charit Manas, was organised at several places in Melbourne to commemorate the Hanuman Janamotsav. It was a pleasure to participate in the Sundarkand Paath organised in Werribee by Mittal Ruparelia from the Dharma & Raaga organisation, which was attended by hundreds of devotees. I was also pleased to attend Sundarkand Paath from Shri Ashwinkumar Pathak ji, which was organised in Hoppers Crossing by Utpal Patel. The Sundarkand Paath was followed by Aarti, and the Mahaprasad was enjoyed by all devotees.

Sundarkand forms the heart of Valmiki's Ramayana and consists of a detailed and vivid account of Hanuman's journey from Kishkindha to Lanka in his quest to find Mata Sita, the wife of Lord Rama.

It depicts the adventures of Hanuman ji and his selflessness, strength and devotion to Lord Rama. It also highlights his knowledge, wisdom and skill. The significance and importance of Sundarkand lie in the life lessons it provides. It teaches how one can win over every difficulty and unfortunate situation in life if one decides to do so. It also fetches one the blessings of not just Hanuma ji but of Lord Shri Ram as well. Jay Siya Ram. Jay Hanuman.

LIBERAL DEMOCRATIC PARTY

Mr QUILTY (Northern Victoria) (12:48): With the federal election behind us I want to take a moment to thank some people. Over the past two years the Lib Dems have been flooded with new party members and volunteers. There are more Victorians now than ever before who believe in liberty, human rights and limited government. I am grateful to everyone who has stood for liberty over the past few years. I am grateful to everyone who pushed back against government overreach, everyone who spoke up and everyone who voted for freedom. Over the past few weeks hundreds of people have volunteered their time to help the Lib Dems. For many of our new supporters it was their first time involved in an election campaign. Others were political veterans defecting to us from the Libs, Labor and the Greens. Elections are a huge effort, especially for a small party. Many people went above and beyond, and seeing such a groundswell gives me hope.

The liberty movement is both old and young. The rule of law, modern democracy, human rights and constitutional government are all legacies of the liberty struggle in the past, but they are ideas that have faded in public consciousness. The liberty movement is a flame that we must keep alive. But for many people the ideas of liberty present a new perspective. It is a new way of thinking about the world and about government. It is good to see the scales falling from so many eyes, but there is still so much more to come. Thank you, everyone who fought with us for liberty at this election—candidates, volunteers, supporters. But we have no time to rest. The Victorian election is in six months time, and there is still so much to do. Onwards for liberty.

FOODBANK

Dr CUMMING (Western Metropolitan) (12:49): So many people are struggling to afford food at this time, and Foodbank is one of the largest and oldest food relief charities in Victoria. Their distribution centre is in Yarraville, and they distribute more than 9.3 million kilograms of food and groceries each year to 533 charity partners, providing vital food relief programs, including community pantries, kitchens and dining halls, mobile soup vans and emergency food hampers. They also deliver Australia's largest school breakfast club program to 900 schools across the state. Foodbank has added two purple bendy buses to its fleet, turning an 18-metre vehicle into a mobile supermarket. With the entry at the back and an exit at the front, they offer a miniature supermarket experience with shelving and refrigeration stocked with ranges of fresh produce and pantry and staple items. Each bus will support approximately 100 families at every location with about 15 kilos of food per family. The buses allow Foodbank to visit people who do not have the capacity to travel and are not receiving food relief and CALD communities across Victoria. I would like to congratulate Foodbank for their great work in providing food to Victorians.

Business of the house

NOTICES OF MOTION

Ms TAYLOR (Southern Metropolitan) (12:51): I move:

That the consideration of notices of motion, government business, 683 to 746, be postponed until later this day.

Motion agreed to.

Bills

JUSTICE LEGISLATION AMENDMENT BILL 2022

*Second reading***Debate resumed on motion of Ms PULFORD:**

That the bill be now read a second time.

Dr BACH (Eastern Metropolitan) (12:52): I am pleased to rise to make a contribution on the Justice Legislation Amendment Bill 2022. Mr O'Brien in the other place has already noted, as various other coalition speakers have done, that on this side of the chamber we do not find this legislation problematic and indeed therefore will not be opposing it. It is an omnibus bill that seeks to implement a range of changes across some very interesting pieces of legislation in the justice portfolio, including, for example, the Crimes at Sea Act 1999. I will talk, hopefully in a way that is not too disjointed given the nature of the bill, about some of these changes. Initially I will dwell on some changes to the Adoption Act 1984 and the Births, Deaths and Marriages Registration Act 1996 that will make some changes to the way adoption works here in Victoria. These changes are of particular interest to me. Mr O'Brien made it clear that they were of particular interest to him and indeed to both the coalition parties.

If I could take the house initially to clauses 41 to 47, these seek to amend the Births, Deaths and Marriages Registration Act 1996 to provide for the issue of integrated birth certificates to adopted persons. This is an interesting change, an interesting reform. Integrated certificates, the government says, are ones which note the birth parents as well as the adoptive parents of the individual. The government has been at pains to make sure that we are aware that no fee will be payable for the first issue of an integrated birth certificate. Neither is there an obligation on any individual to use or apply for an integrated birth certificate. It is limited to those aged 18 years or older and where a person's adoption was registered in Victoria. I wanted to start here because I think that this is a good change. As somebody who was adopted myself I can note—and I know that the government is sensitive to these issues—that people who were adopted have a wide range of views about questions regarding contact with birth parents and engagement with birth parents, so I think this sort of careful and sensitive approach is a good one. Some people, including me, will not want, for reasons that are their own, to seek to gain access to an integrated birth certificate. I know many other people, however, who are, like me, adopted who will be seeking to do that and will find some comfort in doing so. So I think that is a good change and a worthy change; it is one we support.

Clauses 48 to 60 also seek to make some changes to the way adoption law is administered in our state—indeed changes to the Adoption Act itself. That is from 1984, when very significant changes were made under the then Labor government and the outstanding minister Pauline Toner, Victoria's first ever female cabinet minister—and a fine one too. They are in relation to the accessibility of certain information about adoptions. The change that this Labor government is seeking to introduce would permit the registrar of births, deaths and marriages to access certain information for the purposes of issuing an integrated birth certificate. The bill also updates references to departments in the act, necessitated by new administrative orders that transferred adoption services from one department to another, from the Department of Health and Human Services to the Department of Justice and Community Safety.

There are one or two other changes to adoption legislation that we do not oppose but we would like to raise one or two concerns about and ask the government to continue to watch the administration of them very closely. I am talking in particular about clause 54. This seeks to remove the ability of the department to adopt out a child in its care without the consent of natural parents where the person has deserted, persistently neglected or ill-treated the child or the person has seriously ill-treated the child to the extent that it is unlikely that the child would accept or be accepted by the family of that person—I read from notes at this point just to ensure that I am reading entirely correctly from the bill. This will

have the effect of limiting the ability of a child to be adopted where its parents object despite the parents having deserted or ill-treated the child. I note that this is consistent with the recommendation of the Assembly Legal and Social Issues Committee through its inquiry into responses into historical forced adoptions in Victoria. I would quote a comment from the government itself. It says:

... where those grounds exist, they will be dealt with under the child protection system.

On this point my friend in the other place Mr Michael O'Brien made some comments, and, with your indulgence, President, I would not mind quoting briefly from him in order to have his comments on the record in this place as well. He said that we on this side of the house will certainly not be opposing this clause of the bill, but he went on to say:

... we are concerned by it, because we would not want to see a situation where parents who have been neglectful or abusive and ill-treated their child and have had that child taken away from them because of that are in a position to stop that child from having a better future and to deny that child that opportunity to be adopted by a family that would love him or her and would care for him or her.

I think those are very sensible comments. I understand why the government is seeking to make this change. I understand from the government that it will seek to watch the impact of this change very carefully. I understand also that this is in response to a recommendation of a significant and important inquiry into historical abuses. However, I do think a change such as this does need very close and ongoing scrutiny, so I would simply put that on the record in this place as well.

In addition to some changes to the way adoption law works in this state, this omnibus bill will seek to make a range of other changes, as I said at the outset, interestingly to the Crimes at Sea Act 1999, for example, to update references to commonwealth legislation, in particular updating references from the Petroleum (Submerged Lands) Act 1967 to the Offshore Petroleum and Greenhouse Gas Storage Act 2006.

The bill will amend the Equal Opportunity Act 2010 in relation to secrecy provisions and an exemption relating to religious schools. These issues were broached thoroughly in the other place. They may well be a feature of the debate here as well. They relate to our recent discussions regarding the then equal opportunity bill.

Clauses 9 to 24, as the government has stressed, amend the Charter of Human Rights and Responsibilities Act 2006 in order to use more gender-inclusive language. For example, where previously that act referred to 'his or her', those references are replaced with references to 'their' or 'that person'. Clauses 25 to 32 make a range of miscellaneous amendments to the Judicial College of Victoria Act 2001. The most significant amendment is to the composition of JCV. It increases the number of directors from eight to, and I will quote from the legislation:

at least 9 but not more than 10 ...

Now, this, we understand, is to facilitate an increase in the number of directors appointed by the Attorney from two to at least three but no more than four, and these appointees must:

... in the opinion of the Attorney-General, have broad experience in community issues affecting courts ...

It was noted in the other place that there are some concerns among some in the broader legal profession that this provision may see the ability for attorneys-general to exert some political influence over the bearing of the courts. Other amendments are administrative, such as, for example, an increase in the maximum time between meetings from three to four months.

And so this is a bill, as I say, that touches on a whole range of different pieces of legislation. It makes some changes that are not insignificant and others that are almost purely administrative. On this side we would say that notwithstanding the fact that there are some good elements of this bill and notwithstanding the fact that we support it, we would like to continue to urge the government to focus in the justice portfolio on what we see as the main game. The main game is the reduction of our massive court backlogs first and foremost across the portfolio occupied by my honourable friend the

Attorney-General, and in the youth justice portfolio it is fixing the dreadful crisis regarding safety for both inmates and staff at our two youth justice facilities at Parkville and Malmsbury.

In my stead, whilst I was at home battling with COVID, but battling successfully, I am pleased to report, my friend Ms Burnett-Wake asked a question of the Minister for Workplace Safety last time this house met. In response to that question the Minister for Workplace Safety admitted something quite extraordinary, and that is that in a very short period of time, from just July last year to April this year, there were 195 separate investigations by WorkSafe into safety issues at our two youth justice centres. Now, my maths is not excellent, but I think that comes out to more than four a week. That is a huge number.

We learned then at the Public Accounts and Estimates Committee hearings that in these facilities young people—our most vulnerable and traumatised young people—are routinely put in solitary confinement simply because the government cannot find the staff. Right across the state, across a whole range of different sectors and industries, there are staffing problems. Nonetheless, to put young people in solitary confinement in an arbitrary fashion is a grave thing. Indeed some experts in human rights law say that to do so is tantamount to torture. So I would urge the Minister for Youth Justice to focus not on the sorts of minor changes that we are discussing today but rather on the main game in her portfolio, which is undoubtedly to deal with the crisis engulfing those two centres.

When asked the secretary of the department did not deny that solitary confinement is often used for more than 20 hours a day for issues that do not relate to the bad behaviour of that individual but rather the government's inability to properly staff the centres. Now, that is an abomination. The minister wonders why some young people engage in acts of violence in these centres. Solitary confinement routinely used, indeed on thousands of occasions, we were told at PAEC, over the last quarter alone, including for over 20 hours a day—you have clearly never worked with young people if you wonder why it is that a troubled, traumatised young person locked up on their own in their room for over 20 hours a day, by the admission of the secretary herself, would then come out and engage with others in a really troubling and aberrant way. This is a crisis. The minister must acknowledge it, and the minister must deal with it. Especially given the Attorney is in the chamber, and given my engagement with her on previous occasions and, to be fair to the Attorney, her very fulsome responses to me on those occasions, I do not need to talk further about backlogs. I would simply draw to the government's attention once again that notwithstanding the fact that some good changes are made here—in particular one or two of the changes regarding adoption law I think are excellent changes—I would like to see the government focus wholly and entirely now on those key issues in the justice portfolio.

Ms SHING (Eastern Victoria) (13:05): It is a great privilege to stand today to speak on this particular bill, the Justice Legislation Amendment Bill 2022, which was introduced in the other place in April. At the outset and noting Dr Bach's really considered contribution, I want to thank him for being a voice here in a chamber where we have a lot to learn about the impact of adoption and the way in which it has extraordinary and far-reaching consequences and impacts not only for the child or indeed person involved but also for their birth parents and for those around them—their support networks, friends and families.

I want to give a shout-out to the peak bodies who have driven so much of this discussion and have been part of sharing, often, some extraordinarily difficult and sensitive stories in the course of the Victorian inquiry into historical forced adoption in Victoria and the response to that and the Senate inquiry in the commonwealth jurisdiction and also sharing a range of different perspectives in the course of understanding what the implementation of recommendations will come to and what needs to be done to accommodate various views and perspectives and priorities.

One of the people who has been at the centre of the discussion on forced adoption and historical adoptions and the devastation that they have caused is Brenda Coughlan, the spokesperson for Independent Regional Mothers. Brenda has been a force of advocacy for and representation of so many women and men who have been impacted by forced adoption, so many children—now adults—

who have been impacted by forced adoption. I hope that Brenda is either listening or in a position to understand the moment of this particular bill and what it does, and I thank her for her advocacy and for continuing to shine a light on these issues as they relate to regional mums in particular.

I also note that we have members of VANISH who have been here and indeed have played a key role in the ongoing discussion around the impact of adoption—the Victorian Adoption Network for Information and Self Help—which really is encapsulated in its title. The work associated with self-help and advocacy should be and deserves to be at the centre of the work that we do as a government and that I hope successive governments will continue to do—again, by reference to Dr Bach’s contribution, something which can and indeed should take place over parliaments, no matter who occupies government benches.

ARMS has been another organisation which has been at the centre of these discussions and of acceptance of various recommendations and work to implement those recommendations following the Victorian inquiry. This is the Association Representing Mothers Separated by adoption. Jo Fraser, I understand, has been really key to the work of ARMS in representing the perspectives of those members, families and individuals who she has been a conduit for. I understand that Jo was with the Attorney-General when these matters were first flagged and has been a central part of discussions on this issue but that she is not well at the moment, having sustained a fall. I wish you all the best, and I do hope that you recover and recover well. Thank you for all of your work.

Thank you to everybody involved who has been so patient in explaining the pain and the distress that adoption has caused for so many over so many generations. This is something that I have a lot to learn about. It is something which I have been so grateful to be educated on, often in a way that has caused pain and has caused distress to those people who have shared their stories time and time again in order to provoke and encourage better government response to this issue.

What I do want to touch on with the time that I have available, which I note is limited, are a couple of things that Dr Bach went to in his contribution around streamlining and modernising the way in which our responses take place and the way in which we work alongside the Victorian Registry of Births, Deaths and Marriages to create documentation which reflects the wishes of those involved in adoption and in fact allows for a recognition of the birth parents of a child as well as making opportunities available for documentation which reflects ongoing involvement of a birth parent in an adoptive parent and adoptive child situation.

Making sure that there is a post-adoption birth certificate that includes those details is a fundamental recognition of a dignity for which we have a lot of ground to make up. It is a fundamental recognition of the importance of birth parents being recognised. When you write it down it can become real, and to that end words really matter and having the names of birth parents on birth certificates really matters. They give effect to, they create a record of and they create a mark of validity and of respect and of dignity which I think has been a long time coming and which I hope will go some way toward alleviating the pain and the distress of having been ignored for too long, as parents and adoptive children—entire families—have been since forced adoptions began, right through to the apology and right through to the inquiries. There is a lot of work to do, and every piece of work that can be done to create a more dignified, sensitive, respectful and healing range of documents goes some way to ensuring that we recognise what has happened, recognise the importance of ongoing improvement and respect and provide a voice for those to whom a voice was for too long denied.

Making sure that there is a degree of agency in this is also really important. The way the certificate will be available on application by an adopted person once they turn 18, at their own option, is really important. Again picking up on Dr Bach’s comment earlier, there are a range of different views and perspectives on what it is that a person to whom this application right exists will have. Each adoption journey, despite the genesis of its occurrence, will be very, very different, and each measure of distress, whilst containing a number of common themes which were very articulately expressed in the Victorian inquiry chaired by Ms Suleyman from the other place but involving a range of members from a range

of different parts of the political spectrum—each story will have themes at its core but vastly different and incredibly unique, individual impacts as they have played out in everyday life.

Not all people who are adopted will want an integrated birth certificate. That is why that choice needs to be inserted and made really clear in the context of this particular legislation. This is also the case for people who may not wish to disclose that they have been adopted when producing a birth certificate for everyday purposes. It should be the person's choice to determine the grounds upon which those conversations happen and the way in which those matters around adoption are incorporated into everyday life. That is where choice is a really important component of the birth certificate reform.

Making sure that fees are also not disproportionately onerous for people seeking these birth certificates is another big deal in this particular reform. I know the amendments to the Births, Deaths and Marriages Registration Act 1996, which were attempted to be passed in the last Parliament but which succeeded in this Parliament with a significant majority, dealt specifically with the question of fees for LGBTIQ+ people who wish to have their identity reflected in their birth certificate in a way which matches them and does not create enormous distress. It is not dissimilar, analogously, to the idea of choice here and the importance of making sure that fees do not represent a different way of approaching this desire to have one's person, one's history and one's present incorporated into an official document.

Mandatory counselling is again another part of this particular bill, and making sure that there is a better degree of choice around the way in which counselling occurs—the optional offer of counselling—is an important change. Removing that idea of mandatory interviews provides a really key level of ownership and of agency for people to whom this requirement may apply. These interviews are not conducted to assess the applicant or to make decisions about the type of information that can be released to him or her but to offer advice and support and to ensure they are aware of any information that may contain sensitive or confronting details. That is not always desired. It is not always sought out. It is not always helpful for the wellbeing and the self-determination of the person involved. It can in fact be, as we heard from the inquiry, really disempowering. It can be really traumatic, really distressing. It can also involve a level of, for want of a better term, bureaucratic stagnation, whereby things can be slowed down, for a range of reasons, in a way that has practical consequences for the person seeking to complete that particular step. So that change, along with the other change I flagged on birth certificate reform, is part of a suite of responses to recommendations of that particular inquiry.

I want to touch again, with the very brief amount of time that I have, on information sharing and the way in which information sharing will be amended to provide the secretary with the discretionary power to release adoption information to a person who would otherwise not be permitted to receive the information, such as a person representing a support agency. This new section would enable information to be released to support agencies such as VANISH or Link-Up as an alternative to providing it directly to the person affected by adoption. The secretary's powers, though, are of course limited, and those mandatory considerations which limit the secretary's power will be an important way of maintaining the necessary level of balance as these amendments are rolled out and implemented.

There is a lot more I could say, that I would like to say, on the adoption components of the bill. I note that we have a number of people who will be speaking on this bill today. I think that is a really good thing, and I look forward to their contributions, but with the remaining time that I have I want to talk about amendments to the Equal Opportunity Act 2010 and making sure that we placed on the record our steadfast commitment to making sure that discrimination against LGBTIQ+ people is not part of our statute book. This occurs despite the efforts of those opposite, despite the efforts of the coalition at a federal level, to demonise and to destroy the identities of LGBTIQ+ people in a range of ways, from our capacity to play sport and to participate to our capacity to engage in learning at an institution which would otherwise seek to have the power to expel or to dismiss us based on our sexuality or gender identity.

Making sure that we give effect to the changes which passed this place last year—with the opposition of those opposite, who do not in fact believe that equality is not negotiable—is an important part of sticking to our word, an important part of our actions, as a Labor government, making sure that everybody gets equal treatment before the law but that we also enshrine the right to religious belief in the course of making sure that organisations such as religious schools are able to operate within the framework of their philosophical and religious beliefs. They are the things I wanted to focus on today. I commend the bill to the house. I thank everybody who has been part of its development. I wish it a speedy passage.

Mr GRIMLEY (Western Victoria) (13:20): I welcome the reforms in this bill surrounding forced adoption. These are very well overdue. There is pain, suffering and anger that has existed for decades because of certain decisions made by institutions and families. The customs of the time were what we have seen for some time as inexcusable and unforgivable. The actions of certain people and institutions in removing children, accusations of drugging or misinforming mothers and the treatment of mothers in these homes should be condemned. But it is now a time to heal—or at least to try to.

It reminds me of the Royal Commission into Institutional Responses to Child Sexual Abuse, where for decades the secrets and hurt had been hidden but with one inquiry and the will of the people we uncovered a fractured past. It was difficult, but it was worth it. In doing so, we allowed thousands of people to share experiences that in some cases they had never told a soul. It had been their shame and their weakness, the weight on their shoulders. But now for some it is becoming a source of strength and something they can use to help others going through the same thing.

The reality is you probably know someone who was affected by forced adoption—perhaps they do not even know it. Between 1958 and 1984 almost 40 000 adoptions were arranged in Victoria. That number is now in single figures annually. The Legislative Assembly Legal and Social Issues Committee conducted an inquiry into responses to historical forced adoption in Victoria, and today we see the first of many reforms—I hope.

We will introduce integrated birth certificates for adopted persons to better recognise who they are and where they have come from. Currently the birth certificate issued after an adoption order removes all evidence of the adopted person's birth parents and replaces them with the names of adopted parents. The inquiry found that many adopted people wanted their natural parents to be reflected on their birth certificate.

One thing I am concerned about with this bill though is, as I understand it, the change in clause 54. This will remove the ability for an adoption order to be made where a parent who has persistently neglected, ill-treated or deserted their child vetoes this decision. We were shocked to read this, but we have been informed that the court maintains the discretion to override this consent by the parent, and the court must take into consideration sections 9 and 32 of the Adoption Act 1984, which say the welfare and interests of the child concerned shall be regarded as the paramount consideration. The latter also says the secretary must 'have regard to adoption as a service for the child'.

Our party believes that children should always be the most important consideration in any decisions. The truth is there are some people out there who simply should not be parents. We see this time and time again through the courts. If a child is presented with a loving home after experiencing trauma and injury due to their biological parents or parent, every effort should be made to remove and protect that child. The Children, Youth and Families Act 2005 describes this as an unacceptable risk. That is not what happened in these forced adoption cases. Further, through this amendment alone, we do believe there are adequate protections for children to be permanently placed in loving homes whilst balancing the righting of the wrongs from the past.

I have to say that I am disappointed these important reforms have come about in a complex, varied omnibus bill. I have been told on too many occasions when I have introduced sensible amendments by the government that reforms as important as these should not come to the house in a piecemeal

approach but rather in a whole package of reforms. If this approach was really the government's intention, we would not see reforms as important as integrated birth certificates for adopted persons included in a bill that changes the Crimes at Sea Act 1999 and changes the composition of the Judicial College of Victoria. Whilst it is a worry that only 33 of 56 recommendations have been committed to by this government, my office has been given an assurance by the Attorney-General's office that many of the recommendations not supported in full or in principle will be further considered and this is mainly due to the cyclical budget process.

I would like to thank the Victorian Adoption Network for Information and Self Help, or VANISH, as we have heard before, who are in the gallery today, who work incredibly hard to help those who have gone through these often tragic circumstances. Thank you for your work, for highlighting the shadows, perceived shame and secrets of the past and for your contribution to the inquiry. I would also like to place on record that Derryn Hinch's Justice Party hopes and asks that the government fulfil recommendations 38 and 39 to properly fund VANISH to provide a mental health support service in the next budget. It is currently only listed as 'further consideration required' in the government's formal response, so I hope that this is updated.

In this bill, through changes to the Equal Opportunity Act 2010, we will see the words 'he' and 'she' changed to 'their' or 'that person's' or 'the Attorney-General' et cetera. The new federal Attorney-General was sworn in this week. She is a woman. We are happy to refer to her as the Attorney-General at first mention, but after that it would and should be 'she' unless Ms Gallagher insists otherwise. This is yet another not-so-subtle thin edge of yet another gender wedge. In the federal Labor Party there are moves to refer to mothers as 'women' or even 'child-producing persons', the same way breastfeeding is now referred to by some zealots as 'chest feeding'. The National Party platform refers only to 'people and individuals who are pregnant', not women. And there were reports this week that a recommendation has been circulated in Victorian schools listing nearly 20 alternative pronouns for 'him' and 'her'. This is political correctness gone mad.

Whilst there are other acts amended by this omnibus bill, I just wanted to speak on those two important issues today. In summary, I welcome the changes to the birth certificates for those who have gone through the tragedy and isolation of forced adoptions, and I commend this bill to the house.

Sitting suspended 1.27 pm until 2.03 pm.

Ms BURNETT-WAKE (Eastern Victoria) (14:03): Today I rise to speak on the Justice Legislation Amendment Bill 2022. This is yet another omnibus bill that brings about many changes in the realm of justice. I will state from the outset that the opposition will not be opposing this bill. Some of these amendments are simple changes to bring legislation up to date and to make it more inclusive. Others are reforms that will have a huge impact on the lives of Victorians. This bill will be particularly significant to all Victorians who have been through the adoption process or may be adopted themselves. I would like to thank Dr Bach for his contribution earlier telling the chamber about his lived experience. When you are able to speak from lived experience, it is certainly more impactful when speaking to bills that impact lives.

Between the 1950s and the 1980s childbirth was very different for many expectant mothers due to forced adoption practices. Unwed mothers were silenced when it came to speaking out about their hidden pregnancies, their treatment during birth and the grief after having their children taken away. It is easy to reflect on these times as something we have moved forward from, but there are so many women and children who are still impacted and traumatised by what happened all those years ago, and understandably so.

This bill amends the Births, Deaths and Marriages Registration Act 1996 to allow adopted persons to be issued an integrated birth certificate. An integrated birth certificate is one that lists both the birth parents as well as the adoptive parents of the individual. This is one of the recommendations from the forced adoptions inquiry of the Legislative Assembly Legal and Social Issues Committee. Many

people told the committee how difficult it is to have multiple certificates containing different information and how hurtful it is to see their original certificate with a big red 'cancelled' stamp through it. This amendment does not make it mandatory for a person to have both sets of parents on their birth certificate, but it gives them the option. This will allow adopted Victorians a choice to have their birth certificate reflect the story they want to tell, which is something we support.

This bill also removes the ability of the department to adopt out a child in its care without the consent of the birth parents. Where a child has been taken into care due to the birth parents deserting, neglecting or ill-treating that child, the department will now need the consent of the birth parents before adopting the child out to another family. Some people would question why birth parents who have treated their child so awfully are able to stop that child being adopted out to a more loving family. There have been concerns put forward that birth parents who neglect their children may still have control over their future and they should not. The wording of this clause means that birth parents will have the ability to prevent that child from joining a family willing to adopt and care for them. The opposition is not opposing this clause because we do not believe the government would want these children to suffer any further. The intent of the clause appears to be an attempt to strike a balance so that the trauma and the pain that comes from a child being adopted out is no longer repeated. One example might be a child who is taken into care because their parent has a drug problem and then the parent works extremely hard to rehabilitate themselves. There are situations where parents rehabilitate themselves and completely turn their lives around, and there are also situations where parents do not.

The pain and trauma that comes with adoption is very real and lasts a lifetime. This clause intends to ensure children are not adopted out while parents are making the changes needed to become responsible parents. It intends to treat adoption as a last resort. I can see what the government is attempting to do here. They are trying not to repeat the pains of the past. However, this needs to be monitored, and appropriate guidelines need to be developed. We must ensure birth parents do not use this mechanism to withhold consent to further their child abuse. The best interests of the child must also be at the forefront and centre of these decisions.

The bill does a number of other things. It also gives the Secretary of the Department of Justice and Community Safety the ability to disclose adoption information to other organisations that require access, such as the Victorian Registry of Births, Deaths and Marriages, who need access for integrated certificates. There is some concern here again around the balance of rights. Obviously adopted people have rights to find out information about their heritage, but their birth parents also have rights to privacy. I am of the view that this section probably should have had some further consideration, especially around the protection of privacy implications.

Moving on, this bill, as I said, is an omnibus bill. Something else I want to refer to is that this bill, in clauses 9 to 24, amends the Charter of Human Rights and Responsibilities Act 2006 to use more gender-inclusive language. There are small changes such as changing 'his or her' to 'their'. This will go a long way towards making Victorians feel included, which I support. I also note Mr Grimley's contribution and would agree with it. Ensuring language is inclusive is all well and good, but not to the point where political correctness has gone mad, where you can no longer refer to your parents as Mum or Dad when at school but rather as female-identifying parent or male-identifying parent, or changing the term 'breastfeeding' to 'chest feeding'. We need to always be respectful and inclusive with the language we use. It matters. However, making changes must be reasonable and balanced.

I have outlined the numerous things that this bill does, but I am equally concerned about the things it does not do. This is the third omnibus justice bill I have spoken on since becoming a member of this chamber in the last five months. We are seeing many little amendments grouped together, some more significant than others, but what we are not seeing is the government addressing the real issues in the justice system, such as the backlogs in the court and, as Dr Bach referred to earlier, in the youth justice system. Victoria has the worst criminal case backlogs in the country: 11.3 per cent of people wait for more than two years for a County Court trial, while 30.5 per cent wait more than a year for a

Magistrates Court civil claim. In New South Wales it is just 3.7 per cent. What did this government get so wrong?

Our backlogs are worse than any other state in Australia and we have been warned that it may take decades to get on top of them, yet we have still not seen a plan to actually address it. The stress of a court case hangs over a person's head for a long time. It can be quite disruptive to everyday life. The government is only dragging this out for Victorians. There are people out there who have been charged with something and are eagerly waiting to clear their names. Many, many women are also being held in remand waiting for their time to be heard, people who may very well be innocent. There are victims of crime also waiting to tell their story and have their pain recognised, and there are others waiting to be sentenced so they can get on with their lives.

All Victorians deserve their day in court. It is one of our fundamental principles that we have rights to, and it has been denied for too long. I would urge the government to address the enormous court backlogs the next time they pull together a bill aimed at improving justice.

Mr ERDOGAN (Southern Metropolitan) (14:11): I am pleased to rise in support of the Justice Legislation Amendment Bill 2022. As outlined by some of our previous speakers, this is an omnibus bill which is multifaceted and addresses a number of deficiencies. It makes improvements to a number of areas and acts. There are small but important amendments to update, clarify and improve various justice-related acts in response to several previous reviews and calls for reform. The justice amendment bill before us shows that the Andrews Labor government is getting on with implementing the recommendations of the forced adoption parliamentary inquiry and making our justice system fairer and more efficient. These amendments will help to streamline and modernise the operation of justice legislation to support our investments in courts and justice agencies to get through the backlog left by COVID. They will implement some important consequential changes whilst also promoting equality and clarity in the law. We obviously understand that fairness is at the heart of our justice system, and we are making real investments to bring that to fruition.

The amendments in this bill complement the investments already made by our government as we recover from the COVID-19 global pandemic. We have injected over \$340 million since the start of the pandemic to ensure that courts continue to hear cases and to speed up resolution of matters where needed. This includes bringing on more remote hearing services, upgrading technology, appointing more judicial officers and staff and providing legal support to resolve matters before they get to court. The 2022–23 budget just handed down provides more than \$41 million in funding to help clear the backlogs caused by the pandemic when a number of in-person court services were deferred to keep the community safe.

Our focus on the justice system is longstanding. It is not just about this financial year or this budget year; in previous years we have made numerous investments, so I think it is important that we understand that context too. In addition to this year's funding the total amount of funding in previous budget years—2020–21, for example—is over \$80 million, which was implemented to help the justice system recover. There was \$12.47 million for initiatives to resolve matters before they get to court, including expanding pre-court legal services and reforms to Victoria's fines system to reduce the number of infringement matters that end up in court; \$44.21 million for initiatives to provide safe and secure court access for all Victorians, including to upgrade audiovisual link technology, provide better court infrastructure and support the digital transformation of court and tribunal case list filing and management; and over \$24 million to ensure cases are heard and finalised quickly, including the expansion of the online Magistrates Court and pilot electronic pop-up courts with improved AVL capabilities facilitated to improve case management and listing systems.

Over \$210 million was invested in 2021–22, on top of the \$80 million already invested the previous year, to continue the justice recovery, help drive down court backlogs and bolster resources in courts across our state. There was \$34 million to reduce wait times in courts by providing extra resources, including innovative case management programs, expanded online services, the appointment of

additional judicial officers, court support staff and remote hearing services. So I guess we are not just talking about the justice system, we are investing in the justice system. An additional \$40 million was used to fund further expansion of online Magistrates Court services, ensuring cases are heard and finalised quickly. This includes two new magistrates to preside over the court. There was over \$56 million to enable VCAT to transition more of its hearings online and provide for quicker and easier case resolution for the community.

There is more than \$22 million to continue successful measures such as active case management at the Supreme and Country courts, which is reducing the load on judges and helping to resolve matters quicker, and \$55 million to Victoria Legal Aid, Victoria Police, the Office of Public Prosecutions, Corrections Victoria and victim services to ensure that they have the necessary resources to play their part in the backlog reduction. Obviously a lot of work has already been done, but more needs to be done. That is a sign of our government: we are a government that listens and acts upon what is needed. We do not just talk about the justice system, we invest in it and we improve it. Our Attorney-General in particular, Ms Symes, should be commended for taking on this difficult task.

I know, as a lawyer, that the justice system is a challenging one. Obviously there are different demands and different pressure points, and we have got a digital transformation going on as well. Some of this started before the COVID pandemic, but I think the COVID pandemic has brought to the fore the need for this digital transformation, and obviously to bring that about you need to invest real dollars, tens of millions of dollars at times, into the system to make sure it is operational and functional and assists in clearing the backlog. Our government, I am proud to say, is investing and doing that. I have explained some of the investments we have already made in that space.

Obviously supporting the Magistrates Court is important. The bill makes two changes to assist the Magistrates Court. Firstly, the bill amends the process for making rules of the court, providing additional flexibility to the court. The change ensures that not all deputy chief magistrates need to be involved in the decisions of the court. And second, the bill makes sure that the court can hear matters that VCAT is unable to hear due to constitutional issues which were addressed by the Parliament last year. The amendments will help the court manage hearings and assist it to get through the backlog caused by COVID restrictions. The court's pending case load increased dramatically due to the pandemic, but through the court's hard work, supported by government investments, the backlog has already started to decline. The pending case load of the Magistrates Court has been falling since the start of the year, with more than 5000 cases cut from the backlog between March and April this year. The use of online hearings, modernised court practice and expanded powers for judicial registrars have enabled the court to maintain access to justice and allow matters to progress through the system in a timely manner.

Like I said at the beginning, this is an omnibus bill with many different aspects, and I also want to talk about the important issue of eliminating sexual harassment in the Victorian court system. The preventing and addressing sexual harassment in Victorian courts and VCAT review was jointly initiated by the former Attorney-General, the Honourable Jill Hennessy, and the Chief Justice of the Supreme Court of Victoria, the Honourable Anne Ferguson, to identify ways to build a culture that calls out sexual harassment, giving workers and others across the justice system the confidence to speak up without fear of reprisal. The review team was led by Dr Helen Szoke AO, in partnership with the Victorian Equal Opportunity and Human Rights Commission, to examine sexual harassment in the courts and VCAT and to identify opportunities to prevent harassment and improve reporting and support for those who experience it.

The review benefited from 36 submissions or interviews with persons who had experienced sexual harassment, 26 roundtable discussions with 175 participants from legal and court settings, 50 interviews with judicial officers, experts in sexual harassment and leaders of relevant organisations, and 11 institutional submissions. Clearly there was broad consultation. The review made 20 recommendations relating to prevention, reporting, support and accountability, most of which were directed to the courts. Court Services Victoria is well progressed in implementing the

16 recommendations made to it by the review: five are complete, three are partially complete and seven are in progress. A small number of recommendations were directed at the government, including recommendation 7, which is aimed at improving the education provided to judicial officers by making the board of the Judicial College of Victoria more diverse. According to the Szoke review:

The Judicial College of Victoria was established to support the continuing development of judicial officers and VCAT members on the breadth of issues relevant to their roles. As well as specific legal education, the Judicial College can play a significant role in continuing to support judicial officers and VCAT members on how to improve diversity and gender equality within the courts and VCAT.

To do this, the Review considers that additional experience from outside the judiciary should be added to the Judicial College. Just as most private sector organisations look externally when seeking to solve a longstanding problem within the organisation, so too should the Judicial College look to the greater range of skills and experience that exist within the community to be able to deliver the broader range of educational resources required by a modern judiciary.

The bill implements recommendation 7 by increasing the number of appointed directors of the judicial college board to allow for up to four appointed directors who are not judicial officers—that is, judges, magistrates or VCAT members. This enables the appointment of two additional directors. These additional measures to add directors will diversify the experience represented on the board and help to improve judicial education provided to Victorian judicial officers by improving the understanding of judicial officers of the issues faced by the community. Appointing additional members from the community who have broad-based experience in community issues affecting the courts serves to improve the board and how it directs judicial education. This will mean that appointed directors will have lived community experience that complements the judicial experience on the board.

As I stated at the beginning, this is a broad omnibus bill and it covers a number of matters. I have tried to focus my contribution on the changes and improvements to our court system, but there are many other aspects to this bill. Some have been discussed that I am sure that other members will reflect upon, such as the introduction of integrated birth certificates for adopted persons as recommended by the forced adoptions inquiry as well as some technical changes to support other aspects of the government response; updating our Charter of Human Rights and Responsibilities Act 2006 with gender-inclusive language; amending the secrecy provisions in the Equal Opportunity Act 2010 and the Gender Equality Act 2020 to better reflect operational needs; fixing an error from the reform last year to prohibit discrimination against LGBTIQ+ students and school staff; making the Judicial College of Victoria's board more diverse and in line with the review recommendations; amendments to help the Magistrates Court improve efficiency and to remove unclear jurisdictional provisions. It even includes updates to the Crimes at Sea Act 1999 to reflect the treaty between Australia and Timor-Leste.

This bill responds to several previous reviews that have called for reform. Our government has listened to the stakeholders, has taken it on board and has had time to reflect on the recommendations and make changes that it sees fit that will improve our state. We will make sure that we clear the backlog and make sure that everyone has access to justice in a timely fashion. On that note, I commend the bill to the house.

Ms TERPSTRA (Eastern Metropolitan) (14:22): I also rise to make a contribution on the Justice Legislation Amendment Bill 2022. I have had the benefit of listening to the contributions of Dr Bach and Ms Shing on the government benches and Mr Erdogan. I really have to say that I feel unqualified almost to speak on this bill. I really want to commend Dr Bach's contribution and Ms Shing's contribution. I think that when we are on the same page about some of these things we really are our best selves in this place. I think the debate that has gone before on this bill just this morning has been a really good, solid reflection of exactly that—when we are our best selves. As I said, I do feel really unqualified to speak on some of the matters that particularly Dr Bach and Ms Shing have raised, and so I will not. I will not try and follow up and do justice to any of those topics, because there are plenty of other topics in this omnibus bill which we can talk about. Of course we know it is an omnibus bill.

This bill seeks to amend various pieces of legislation, and I know Ms Burnett-Wake touched on some of those as well.

I might just for the purpose of my contribution focus on perhaps some of the changes to the Gender Equality Act 2020 and how things operate in the public service with regard to gender equality. I think these changes can be correctly categorised—not only these changes that I am going to speak about in a moment but the changes across what is provided in the bill—as administrative but also machinery in nature. There need to be some amendments made to other pieces of legislation—for example, things like privacy and those sorts of things. So again, this is an omnibus bill to realign and harmonise other enabling pieces of legislation. For example, just in regard to gender equality there are important changes in this bill that are going to assist the role of the public sector gender equality commissioner. For example, the gender equality commissioner in Victoria is responsible for promoting and advancing the objectives of the Gender Equality Act and working with public sector organisations, local government and universities to improve gender equality outcomes.

It is disappointing when people talk about gender equality in terms of what is ‘woke’ and all these sorts of things. That is disappointing, and it goes against and rubs hard against what I just spoke about earlier—when we are our best selves in this place and we can actually talk about things in a more objective manner. But what we know about gender equality is that if we do not actually work on improving gender equality, it drives inequality across our society, but it also promotes other things. I was reading something the other day that was in an international publication which talked about which countries across the world have high and low levels of gender equality within their society. What was linked to that was when you have an imbalance in terms of gender equality you have more violence in society as well. So the notions of gender equality and violence against women are definitely linked—you can look across the world and see lots of different cultures and countries where they are definitely linked.

This is important, and we are starting with the public sector because obviously the public sector is in a position to lead on some of these important reforms. Hopefully what we see is that once the public sector leads on implementing gender equality reforms, the private sector follows—and not only follows; in some cases there is some fantastic work that is being done in the private sector on gender equality. I might note just one example, and this flows into pay equity as well. I know that for many years in the banking sector, through enterprise bargaining agreements, not only has maternity leave been given to women having children on the basis of it being paid but superannuation contributions have been paid on that paid maternity leave component. That does address gender equality, but it impacts pay equity as well. We know that women who have taken maternity leave or parental leave—whichever flavour you want to label it—cannot then recoup those lost superannuation contributions. That was a great initiative and reform that happened in the banking sector, and that is something that has been ongoing for at least, I would say, 10 to 15 years. That is to be commended, and we are now seeing these sorts of reforms happening in other areas as well.

Going back to the bill, as I said in regard to the public sector gender equality commissioner, the commissioner also performs a range of education, facilitation, compliance and enforcement functions, and the commissioner has a dispute resolution function relating to systemic gender equality issues in the workplace. As I said, it is public sector bodies but also local councils, universities, Court Services Victoria and the Office of Public Prosecutions that refer those issues to the commissioner in accordance with the terms of an enterprise agreement or a workplace determination. What kinds of complaints can be referred to the commission for dispute resolution? A particular complaint can be referred if it relates to a systemic gender equality issue that adversely affects a group or class of employees within a designated body and the body’s enterprise agreement or workplace determination contains a relevant gender equality issue clause allowing for the commissioner’s involvement. So, again, what has to happen is that the enterprise agreement or workplace determination must enable the commissioner to facilitate the resolution of that dispute. That is not dissimilar to any other enterprise agreements where, for example, an organisation or a body or a dispute resolution facilitator must be

given the enabling power through that instrument. Likewise with this instrument, the legislation will enable that, but again it has to be contained in the enterprise agreement.

The designated bodies include public sector bodies, local councils, universities, Court Services Victoria and the Office of Public Prosecutions, and the systemic gender equality issue must relate to one or more of the workplace gender equality indicators—for example, gender pay equity or leave and flexibility. There are in fact seven workplace gender equality indicators in areas where workplace gender inequality persists and where progress towards gender equality must be demonstrated. I will just go through those seven items. They are gender pay equity, gender composition at all levels of the workplace, gender composition of governing bodies, workplace sexual harassment, recruitment and promotion, gendered work segregation and leave and flexibility. Those areas are really important, and we must continue to make progress in those things.

I am really pleased to see this act actually specifying that these seven indicators will be clearly spelt out in the act, because I can say in my former life as a trade union official—and the last place I worked at was the nurses union—one of the many disputes I used to deal with was nurses seeking flexibility in their role as a nurse because they might have young children, or even elder care was something that was coming up time and time again. We often talk about child care and the need to access childcare services, but elder care is one of those things that is also becoming more prevalent. Often nurses would be seeking flexibility, whether it was leave or flexibility in hours—often nurses have to work shift work; it is a requirement of their role—where perhaps they could maybe work just night shifts or afternoon shifts to facilitate the care and picking up of children and the like. That was always a hotly contested thing. I found that particularly disappointing given that nursing is a feminised profession, and I found it really staggering actually that that was such a difficult thing for many of our hospitals. But nevertheless it is great to see that those things will be enshrined in the act and the agencies that I mentioned before—as I said, public sector bodies, local councils, universities and the court services and public prosecutions—will be required to work on these things. I think that is a great outcome, and I also look forward to seeing all employees, regardless of being male or female, being able to actually combine their work and family responsibilities, whatever they are, whether it is child-rearing or, as I said, elder care or any other responsibilities—being able to meet them. I think what you will find is you will get more productive employees in the course of it.

Also, importantly, workplace sexual harassment: we know that that sadly is something that has persisted for many, many years. I know there was a lot of work done in the sexual harassment space in the early 1980s, and I think we had a strong response to that in the equal employment opportunities act and having the Australian Human Rights and Equal Opportunity Commission there as a body who could assist with resolving disputes in that—and then off to the Federal Court. But it seems to be that access to justice is a problem. It is expensive to go to the Federal Court unless you have got someone funding your litigation in that area. And sadly—and I have said this before in this place—it seems to be a bit of a strategy of legal teams these days. In any sexual harassment dispute there always seems to be a media strategy around it, and we have seen a number of high-profile sexual harassment cases being prosecuted in the media. I will not mention them, but for those of us in the chamber and perhaps for those playing along at home there are any number—pick a number, any number—of high-profile sexual harassment cases where there have been obvious and demonstrable media strategies around them, which brings a lot of pressure on complainants. It is sad that women may have to think twice about bringing a complaint because of the media scrutiny that is often involved—and that should never be the case. It should always be the case that if a complaint is made, it should be able to be investigated and appropriate actions recommended if complaints are found to be upheld. But particularly in courts we have seen a number of high-profile judges and the like come under scrutiny in this area. So again, it is sad that you get these high-pressure media strategies, but this has been something that I think is a deterrent. Also I know in Minister Stitt's portfolio she is undertaking separate work around the use of non-disclosure agreements as well.

So there is lots of work being done in this space, but as I said, if we do not work on improving gender equality—and it is fantastic that these seven indicators are now being named and labelled under this legislation—we will not see a reduction in violence towards women and we will not see a reduction in violence towards transgender people and people from LGBTIQ+ communities. It is unacceptable, and so it is great to see this as a starting point—but there is always more work to do, always more to be done. It is really a proud moment to see that these things are actually being labelled and named, and I look forward to these agencies working solidly on all of these indicators—and I know they have to report publicly on these things as well.

So again, getting back to the bill, the commissioner will have powers in relation to dispute resolution outcomes as well, so the commissioner will have the power to deal with a referred dispute in any way they consider appropriate. Again, the scope of the powers being referred to the commissioner under this bill is incredibly broad, and justifiably so. They can make recommendations, they can express views or opinions or conduct conciliation if they deem fit; however, the commissioner cannot conduct arbitration or make binding determinations. It is important that the commissioner have appropriate powers to deal with these disputes, but again, whilst there are broad powers, in a number of ways there are limitations about binding determinations, obviously because there are other organisations and courts that can do those sorts of things.

The commissioner can of course delegate their dispute resolution functions to others. So under section 45(2) of the Gender Equality Act the commissioner can delegate some or all of the commissioner's powers in relation to the dispute to any person who has the necessary skill and independence to exercise that power. The commissioner's delegates, or delegate, will be subject to the same secrecy obligations as the commissioner. I touched on this a little bit earlier about public campaigns around sexual harassment, but again we need to ensure—it is labelled 'secrecy' here, but I would call it 'confidentiality'—confidentiality provisions around these things for obvious reasons. In an investigation, and I have also done workplace investigations in a former life, it is incredibly important that all parties maintain confidentiality when matters are being investigated, for obvious reasons. You do not want witnesses colluding on things, but you also do not want evidence being discussed and people talking about investigations in the workplace. Why? It sort of colours things and might influence the outcome of the investigation, which is not appropriate. So there you go: that is just about the commissioner being able to delegate those functions.

There are other things in the act of course—education and research functions, the commissioner and how they are impacted by current secrecy provisions and the like—but I think the stand-outs of the particular provisions in terms of this bill are the seven labelled gender equality indicators. I will conclude my contribution there, and I commend this bill to the house.

Dr RATNAM (Northern Metropolitan) (14:37): I rise to speak to the Justice Legislation Amendment Bill 2022, which the Greens are supporting. This is an omnibus bill that is amending multiple acts. I will focus my comments on the amendments that relate to the forced adoptions inquiry as well as the changes to the Charter of Human Rights and Responsibilities Act 2006.

Firstly, I am really pleased to see that the bill is amending the Charter of Human Rights and Responsibilities to replace gendered terms such as 'his' or 'her' with gender-inclusive language. The charter is a foundational piece of Victorian law which outlines the basic rights that all of us uphold and that the Parliament commits to protecting and promoting. But the way our charter is currently written excludes a section of our community by using language that refers to binary genders. All of us should be able to see ourselves in our human rights protections and know that we are included in the rights outlined in the charter. Removing the use of gendered terms in the charter is such an important measure in promoting an inclusive, compassionate society, and I commend the government for putting these amendments in this bill today.

This bill is also implementing a number of recommendations from the Legislative Assembly's Legal and Social Issues Committee's inquiry into responses to historical forced adoptions in Victoria. This

was an incredibly important inquiry that was long overdue, and I would like to put on the record my thanks to the many people who shared their stories in the hope of change. The practice of forcibly separating mothers and babies is a reprehensible part of our history. It caused immeasurable harm to parents who had their children taken from them as well as to the children removed from their families. Almost a decade ago this Parliament apologised to the parents and children who experienced forced separations. With this apology, the Parliament acknowledged the devastating and ongoing impacts of the practice of forced adoptions. However, as the committee noted, this apology was only the beginning of a journey to healing, reconciliation and justice and needed to be accompanied by long-term and meaningful action. While it may be long overdue, I am pleased that we are now creating this long-term change by implementing measures to support healing and provide justice for families affected by this inexcusable practice.

The bill amends the Births, Deaths and Marriages Registration Act 1996 to introduce integrated birth certificates in Victoria. Currently in Victoria children are issued with a new birth certificate at the time of their adoption, which replaces their original certificate. Submissions to the inquiry noted that this practice effectively erases an adoptee's identity and that many would like the choice to access a certificate that captures both their adoptive identity and their identity at birth. These reforms will allow adopted people to request an integrated certificate which will include both their birth and adoptive parents.

The commencement date for these changes is set for October 2023. When New South Wales introduced integrated birth certificates, the bill was introduced in August and the new certificates were issued starting in November—barely a three-month turnaround. The sector has questioned why this provision needs such a long implementation time in Victoria when New South Wales was able to implement this within months. Given integrated birth certificates were one of the priority recommendations of the inquiry, with the inquiry calling for their introduction without delay, I encourage the government to bring forward the commencement of that part of this bill so that Victorians can begin to access integrated birth certificates much earlier than October 2023.

The sector has also questioned why other priority recommendations of the inquiry have not been implemented as part of this bill. For example, while the government is in the process of developing a redress scheme for people affected by forced adoption, this bill does not address the linked recommendation that the government immediately amend the Limitations of Actions Act 1958 to exclude those affected by forced adoption from the limitations period. Similarly, this bill implements part of recommendation 54 by removing some of the current grounds for dispensing with the consent to adoption but it does not extend the period to revoke consent. The government has also not taken the opportunity to introduce a no-fault scheme for adoption discharges. I know that legislative reform can be complex and that taking the time to get a bill right is important. However, in this case many of those affected, particularly mothers, have been campaigning for change and for justice for decades. I would encourage the government to introduce the recommendations from this inquiry as a priority, particularly those flagged by the committee as urgent.

While the Greens are really pleased to see the government commit to a redress scheme for people affected by forced adoptions as well as a hardship fund, we have heard concerns that the fund only applies to mothers affected by forced adoption between 1958 and 1984. Forced separations occurred in the 1940s and 50s and in the late 1980s, and it is unclear why this particular time frame has been applied to the fund.

I am also aware that the Adoption Act 1984 as a whole is overly complicated and difficult to navigate. In 2017 the Victorian Law Reform Commission reviewed the Adoption Act and recommended it be completely rewritten and replaced with a new act, yet this recommendation has also not been taken up by the government. While the Greens are pleased to see the changes to the act in this bill today, I encourage the government to commit to a full rewrite of the Adoption Act soon.

I would like to conclude by highlighting the really important work done by the sector, particularly the Victorian Adoption Network for Information and Self Help, or VANISH. One of the other recommendations of the inquiry was for ongoing funding for VANISH to continue to provide support services for people affected by historical forced adoptions—also a recommendation this government has not yet taken up. Ongoing funding for our community sector is so important to give organisations the funding security they need to continue providing support services, especially when responding to increased demand. I encourage the government to address this funding recommendation in full so VANISH can continue supporting the post-adoption community.

Ms WATT (Northern Metropolitan) (14:44): I rise to speak on the Justice Legislation Amendment Bill 2022. In doing so I would like to note that this bill reinforces the Andrews Labor government's commitment to implementing the recommendations of the forced adoptions parliamentary inquiry. This government will always fight to make our justice system fairer and more efficient, and these amendments help to streamline and modernise the operation of justice legislation. They will continue to support our investments in courts and justice agencies to get through the backlog left by COVID.

For some time we have heard the calls for reform in this arena, and I am proud to note that the government has consulted with a range of stakeholders regarding these amendments, including the Office of the Victorian Information Commissioner, Industrial Relations Victoria, the Victorian Equal Opportunity and Human Rights Commission, Local Government Victoria, relevant trade unions and the privacy team in the Department of Justice and Community Safety as well as the Department of Premier and Cabinet.

Perhaps the amendment I am most proud of in this bill, although there is much to be proud of, is the strengthening of the Equal Opportunity Act 2010 in order to enhance community safety and protect anti-discrimination protections. In this bill the Andrews Labor government are reinforcing our strong support for equality and the LGBTIQ+ community by removing gendered language from the Charter of Human Rights and Responsibilities Act 2006. The Andrews Labor government strongly supports equality and the rights of the LGBTIQ+ community to be themselves and to be recognised for who they are.

I am really proud to represent the diverse Northern Metropolitan Region, which has many proud achievements and contributions to the advancement of the LGBTIQ+ community. Some of these were celebrated with the first-ever Melbourne Pride festival in Fitzroy, which was an amazing celebration of 40 years of decriminalisation, I think it was. Anyway, it was a great old party and a good old time, and it was a reminder that there will always be more work to do in achieving equality in our state. I have certainly worked with local organisations in the Northern Metro Region who undertake incredible work within this community, including one that recently moved to Northern Metropolitan Region. Thorne Harbour Health is a community-controlled organisation governed by members of the community that works for gender-diverse communities as well as people right across our state from LGBTIQ+ communities. I am really happy that they are back in the northern suburbs; I am just going to say that. Thank you to the CEO, Simon Ruth, for all that he does to advance the interests, health and wellbeing of this community.

I was thinking about these remarks and what else there is to be proud of. I was delighted to join Drummond Street Services for the opening of the QSpace network, which is a service to provide wraparound, integrated support and counselling to LGBTIQ+ people, their families and support networks. We know that damaging public debate around the LGBTIQ+ community can affect the mental health and wellbeing of this community, and it was good to see that the Andrews Labor government made a critical investment to make sure that that support was available where needed in a way that was appropriate to the LGBTIQ+ communities. Really, I am with you, and I stand with you, including with the calls that have been made for the gendered language in Victorian legislation to be removed.

The changes in the bill to the charter, which remove non-inclusive language such as ‘he’ or ‘she’, represent an important symbolic step towards the goal of making Victorian legislation progressively more inclusive. We know how important it is to use inclusive language in all aspects of work and life. It has been a standard practice for many years to use gender-inclusive language when drafting legislation and amendments. We will continue to look at ways to modernise our legislation and justice system to ensure it is inclusive for all Victorians regardless of their gender. Any proposal to update language across all of Victoria’s legislation would involve more careful consideration with relevant groups such as the legal community and LGBTIQ+ stakeholders to make sure that we got the details right.

Second, the bill improves changes implemented last year by the Equal Opportunity (Religious Exceptions) Amendment Act 2021 to better protect Victorians from discrimination, particularly in schools and in the workplace. This bill puts beyond doubt that section 83 of the Equal Opportunity Act only permits discrimination within religious education institutions on the basis of religious belief or activity and not on the basis of any other protected attribute such as gender identity or sexual orientation. Equality in our state is absolutely non-negotiable. All Victorians, no matter how they identify, deserve to feel supported, safe and equal, including in their workplace. Our 2021 reforms, which will come into effect in June, will provide critical protections to LGBTIQ+ people from discrimination in schools, in employment and in the provision of government-funded goods and services. The Victorian LGBTIQ+ community will not soon forget that the Liberal-National coalition voted against these important reforms. Previous protections to prevent discrimination against LGBTIQ+ people were shamefully stripped back in 2011 by the former Liberal government and were blocked from being reinstated in 2016.

The amendments in this bill will also assist the public sector gender equality commissioner in educating defined entities to protect and progress gender equality within their organisations and promote gender equality in the wider community by providing case studies for how systemic gender equality issues can be resolved in the workplace. The public sector gender equality commissioner is responsible for promoting and advancing the objectives of the Gender Equality Act 2020 and working with public sector organisations, local governments and universities to improve gender equality outcomes. The bill makes amendments to gender equality commissioner secrecy provisions to ensure the expertise and experience drawn from the dispute resolution process can inform the commissioner’s work and improve accountability and transparency in relation to systemic gender equality issues. They will assist the commissioner in educating defined entities to progress gender equality in the wider community by providing case studies of how systemic gender equality issues can be resolved in the workplace.

The bill further promotes community safety and increases efficiency in the justice system and justice system processes by expanding the current exceptions to the secrecy provision, making it clear that the Victorian Equal Opportunity and Human Rights Commission can provide information to relevant agencies in appropriate circumstances. This change, which has been requested by VEOHRC, will make clear that it can disclose otherwise confidential information to relevant agencies, including child protection or Victoria Police, to protect the welfare of others, such as when there is a serious threat of harm to a person or when necessary under a mandatory reporting obligation. Additionally, the bill will reduce the time and public resources it takes to process freedom-of-information, or FOI, applications by clarifying that VEOHRC can use or disclose information to the Victorian Civil and Administrative Tribunal, VCAT, for the purposes of FOI review applications.

This bill also goes some way to eliminating sexual harassment in Victorian courts and tribunals. The preventing and addressing sexual harassment in Victorian courts and VCAT review was jointly initiated by former Attorney-General the Honourable Jill Hennessy and the Chief Justice of the Supreme Court of Victoria, the Honourable Anne Ferguson, to identify ways to build a culture that calls out sexual harassment, giving workers and others across the justice system the confidence to speak out without fear of reprisal. The review, led by Dr Helen Szoke AO in partnership with

VEOHRC, examined sexual harassment in the courts and VCAT and identified opportunities to prevent harassment and improve reporting and support those who experience it. The review benefited from 36 submissions or interviews with persons who had experienced sexual harassment; 26 roundtable discussions that were held with 175 participants from legal and court settings; 50 interviews with judicial officers, experts in sexual harassment and leaders from relevant organisations; and 11 institutional submissions. Can I just take a moment to thank all of those involved in that important work.

The review made 20 recommendations relating to prevention, reporting, support and accountability, most of which were directed to the courts. Court Services Victoria is well progressed in implementing the 16 recommendations made to it by the review. Five are complete, three are partially complete and seven are in progress. A small number of recommendations were directed at the government, including recommendation 7, which aimed at improving the education provided to judicial officers by making the board of the Judicial College of Victoria more diverse.

The bill implements recommendation 7 by increasing the number of appointed directors of the judicial college board to allow for up to four appointed directors who are not judicial officers. This enables the appointment of two additional directors. These additional directors will diversify the experience represented on the board and help improve judicial education provided to Victorian judicial officers by improving the understanding by judicial officers of the issues faced by the broader community. Appointing additional members from the community who have broad-based experience in community issues affecting the courts serves to improve the board and how it directs judicial education. This will mean that appointed directors will have lived experience that complements the judicial experience of the board.

Importantly, this bill improves reform, with integrated birth certificates. I know that this has been spoken about by speakers previously, but I too would like to make a contribution on this. An integrated birth certificate is a legal birth certificate that includes the details of both the person's natural parents and adoptive parents and the date of adoption. Currently in Victoria the only legal birth certificate in respect of a person who has been adopted is the post-adoption certificate, which shows only the adoptive parents. The bill will allow the registrar of births, deaths and marriages to issue a post-adoption birth certificate that includes the details of the natural parents and adoptive parents and can be used as a legally valid proof of identity. The IBC will be available on application by an adopted person who is aged 18 years or older—at their option. The inquiry report noted that there are diverse views regarding birth certificates, and not all people who are adopted will want an integrated birth certificate. For example, an adopted person may not wish to disclose that they are adopted when using their birth certificate for everyday purposes. This bill provides adopted people with choice. South Australia implemented IBCs that are recognised as a valid proof of identification in 2018—New South Wales and the ACT in 2020.

Additionally, in line with recommendation 34 from the inquiry, the bill amends sections 76 and 92 of the Adoption Act 1984 to remove the requirement that the issuing of the pre-adoption birth certificate is subject to the same fee as the issuing of a standard legal certificate from births, deaths and marriages. The change will allow the fee for issuing a birth certificate to those affected by forced adoption to be covered under the births, deaths and marriages financial hardship and fee waiver policy, thus making it free. This is really quite a significant change for those in our community affected by adoption. I cannot wait to talk to some loved ones about this.

There is, of course, more in this bill that I could go into. I will just take a moment to commend the work of the Legislative Assembly's Legal and Social Issues Committee, which in 2021—September of last year—tabled its report on the inquiry into responses to historical forced adoption in Victoria. The government response to the inquiry report was tabled on 10 March this year. In that, the committee made 56 recommendations of which 33 were supported by government, including plans to introduce a redress scheme. There are a further 23 that will be considered further. The bill makes a range of priority amendments to enable some key recommendations of the inquiry to be swiftly implemented.

Recommendation 26 includes the introduction of integrated birth certificates for adopted people. I am so glad that this bill today will make that possible as soon as—I hope—it can be done.

There are of course other recommendations out of this report that will be implemented following the passage of this bill. I know that there are some colleagues too that are very much interested in making contributions to this important bill that will speak to them. But I will say that in the 2022–23 budget just handed down there is more than \$41 million in funding to help clear backlogs caused by the pandemic. For those that are seeking justice I know that this will indeed be welcome news. A number of in-person court services were deferred in order to keep the community safe. I am hoping that with that significant investment in the budget, which I am looking forward to making a contribution on soon, we will see even more evidence of the Andrews Labor government's commitment to ensuring safety and access to justice across our state. The bill makes a range of important reforms that improve our justice system and implement the recommendations of several reviews. I commend this bill to the house.

Mr QUILTY (Northern Victoria) (14:59): I will be brief. This bill makes several minor changes to several different pieces of legislation. Among them is a set of changes to the human rights charter. The government wants to replace 'him or her' with 'they' and 'that person', presumably so that transgender and non-binary people can now have their rights equally not protected by the charter. It is a change that is meant to be symbolic of the struggle against oppression, but the real symbolism here is that in Victoria our human rights can be amended or ignored at will.

The Victorian charter has proved to be just words on paper, providing no protections to Victorians' fundamental rights. This government has treated the charter with the same contempt with which it has treated ordinary Victorians. A charter of human rights is an act of Parliament, and it can be undone by the same Parliament, as we have seen only too well over the last two years. Thomas Paine recognised this in his *Rights of Man* over two centuries ago, but Victoria is yet to figure this out. I would be willing to compromise and retile the work *Rights of Persons* if that is what it would take to get this government to read it.

There is a role for symbolism. I am not opposed to language changes to recognise diversity, but the rights of Victorians are not endangered by the insensitive use of pronouns in obscure legislation. It is well past time that the rights of all Victorians with all pronouns were recognised in a real bill of rights—a bill of rights that properly restricts government power.

Ms TAYLOR (Southern Metropolitan) (15:01): I am very happy to be rising now to speak on this bill. First of all I do want to thank all those who did contribute to the forced adoption parliamentary inquiry in the first place. I can imagine that it would have been a very powerful but also a traumatic and an emotional experience, one that was not only powerful but empowering, and empowering for the community as well, because it also enhanced everyone's understanding of what many, many Victorians have gone through—the deep, deep pain and suffering that they have gone through. So I do want to commend all those who have contributed to this day, here and now, where we are actually actively implementing recommendations from that inquiry. Certainly there is very much an imperative—and our government absolutely acknowledges the imperative—of getting on with implementing these recommendations, hence the reason why they are being delivered here and now in this way.

I further note that these amendments will help to streamline and modernise the operation of justice legislation to support our investments in courts and justice agencies to get through the backlog left by COVID as well. As has already been noted in the chamber, there are many components to this bill which are critical to the amelioration of the way our justice system works, and I am very pleased that we are making a range of priority arrangements to enable some key recommendations of the inquiry to be swiftly implemented, noting they are very much needed as well.

I will seek not to overlap but rather just to point out some of the key elements of the various amendments that are being made via this bill. In particular, if I can go firstly to the integrated birth certificates, there has been much discussion here, and it is important that there has been this discussion in the chamber because this is certainly a very critical change. The bill will allow the registrar of births, deaths and marriages to issue a post-adoption birth certificate that includes the details of the natural parents and adoptive parents and can be used as a legally valid proof of identity, and the IBC will be available on application by an adopted person who is 18 years or older at their option. I am going to go to a further point on this: it just shows how critical it is to get the information, to get that sort of lived experience in terms of informing this kind of transformative change, because the inquiry report notes that there are—and it has been mentioned in the chamber as well:

... diverse views regarding birth certificates and that not all people who are adopted want an integrated birth certificate.

For instance, an adopted person may not wish to disclose that they are adopted when using their birth certificate for everyday purposes. The bill provides adopted people with choice, and that is certainly something that is very, very important, because it is on the one hand allowing a critical change that will very likely change the lives of many people who are directly impacted but at the same time allowing that discretion for those who do not wish to have an integrated birth certificate as such. I think that is a very respectful and considered change that is important as part of this bill being brought forward.

Another issue that I do want to go to is that of the mandatory counselling and why it is being removed. I know there has been discussion of this in the chamber, and for good reason. It is implementing recommendation 28 of the inquiry that the requirement for a person to be interviewed by an approved counsellor should be replaced with an obligation on the department to offer counselling—we can see that very necessary shift—and to advise the applicant if the information may be distressing to them. That is also empowering. It allows for various ways that people may respond to receiving information that can be very distressing but on the other hand may be very empowering as well.

Operational changes since the transition of adoption services from the former Department of Health and Human Services to the Department of Justice and Community Safety have modernised practices to ensure that applicants understand the information contained in their records and can gauge their need for future support. I think that is where the emphasis is. It is, again, very much empowering legislation, respecting the variety of perspectives that there may be when you are going through a process of looking into your past, who you are, where you come from and who is part of your story. This clarifying amendment will remove the mandatory interview requirement from the Adoption Act 1984, ensuring it clearly reflects current practice. I think that is very much about honouring the differences between human beings—we are all individuals—and it is allowing and respecting that very critical and fundamental part of human nature. I think that is also a very important but respectful change.

I know there was a discussion in the chamber with regard to consent, and I will get to that point in a minute. I am trying to find the best way to explain this, but really I think it comes back to the fundamental rationale and the fundamental imperative to bring about these legislative changes and to move away from the forced adoption practices of the past. I hope that when I explain this it will counteract some of the concerns that were raised by those opposite. I will get to my point in a moment. I note that an adoption order permanently severs the legal connection between the child and their birth family—it is permanent. I know I am stating the obvious, but that is why there have to be some other components brought into the bill, and I will get to them in a moment, to ensure that that permanent decision is one that is made appropriately.

Usually the fully informed consent of each parent or guardian of the child is needed before this can happen. In some cases consent can be dispensed with by the court; for example, if a parent or a guardian cannot, after reasonable inquiry, be found. If a situation of desertion, persistent neglect or ill-

treatment exists and the parents do not agree to the child being adopted, then the child can be kept safe and cared for within the child protection system. For example, a permanent care order transfers all duties, powers, responsibilities and authority to the carers of the child and child protection is no longer involved. This option maintains the child's name and identity of origin through continuity of their original birth certificate. I have not fully got to the rebuttal yet, and I am about to get to that.

It is important that the fully informed consent of the natural parents is required for adoption so that the forced adoption practices of the past are not repeated. I think that is a fundamental tenet that is driving these very critical changes. This is just to appreciate the rationale underpinning them and these elements of the bill. The court retains as well—this is the point I am getting to, perhaps to allay some of concerns that were raised by those opposite—a discretion to dispense with consent where there are special circumstances by reason of which, in the interests of the child, consent may be properly dispensed with. So there are those couched elements within the bill to allow for the vicissitude of circumstances that we can find ourselves in in this very delicate space when we are talking about adoptions and of course moving away from forced adoptions, as is very much the central tenet of this bill.

Another element that I did want to get to is new section 100A with regard to information sharing, because I know sometimes there can be concerns about privacy and other elements when you are looking at sharing information. But if we come back to the rationale that underpins the sharing of that information then we can see the validity of the reform. So, if you look at new section 100A, to be inserted into the Adoption Act by clause 58 of the bill, it will give the Secretary to the Department of Justice and Community Safety a discretionary power to use and disclose adoption information to organisations. Why? This is needed because the current information-sharing provisions in the act apply to individuals affected by adoption, not to organisations. The secretary is required to consider certain factors before making a decision about using or disclosing adoption information—appreciating, obviously, the delicacy of this information and the incredible impact it can have, negative or positive, on an individual's life—including the sensitivity of the information and risk to any person who may be identified from the information. The secretary must also consider whether in all the circumstances it is desirable to use or disclose the adoption information. Adoption information disclosed to an organisation under new section 100A will only be able to be used for the purpose for which it was disclosed. I think we can appreciate why there are those protections surrounding the sharing of such delicate information.

I thought it would also be helpful to explore some examples of how the new information-sharing provision may be helpful. New section 100A would allow adoption information to be released to support agencies such as VANISH or Link-Up rather than directly to a person affected by adoption. This would allow the agency to sensitively convey the information to their client to minimise trauma to all parties involved. So we can see how well considered it has been and the reflection that has gone into developing these legislative changes because of, yet again, the incredible negative or positive impact that they can have on an individual. Other common examples include providing a foster care agency with information about a child awaiting adoption, providing child protection with specific information if they are investigating an adoptive family, providing an Aboriginal community controlled organisation with information about the adoption of an Aboriginal child and, finally, providing Family Safety Victoria with information about a mother who has placed her child for adoption under the family violence information-sharing scheme.

So we can see that there are various technical components to this legislation for good reason: to provide appropriate protections but also to facilitate things such as information sharing and also people having for instance a birth certificate that actually reflects the way that they in an empowered way want their family and their history situation to be reflected. I think that is very empowering, noting that element of choice and noting that fundamentally underpinning this is the imperative to move away from those dreaded forced adoptions of the past to a much more considered and compassionate future.

Dr KIEU (South Eastern Metropolitan) (15:14): I rise with pleasure to speak to the Justice Legislation Amendment Bill 2022, which was introduced in the Legislative Assembly on 4 April just this year. COVID has presented many challenges and difficulties in all aspects of life and operations, and particularly it has created a backlog in the courts' operation because of the COVID pandemic. The bill and the amendments in this bill will help to streamline and modernise the operation of the justice legislation and also to speed up and to deal with the backlog of the courts. The bill is also a commitment that the government will be implementing the recommendations of the forced adoptions parliamentary inquiry. The bill is of a more technical nature but introduces important amendments to update, to clarify and to improve various justice-related acts in response to several previous reviews and calls for reform.

Before I go into some details of the bill I would like to say that the amendments in this bill complement the investment the Andrews Labor government has made in supporting our courts to recover from COVID. We have injected more than \$340 million since the start of the pandemic to ensure that the courts could continue to hear cases and to speed up the resolution of matters before the courts. This has included bringing on more remote hearing services, upgrading technology, appointing more judicial officers and staff and also providing legal support to resolve matters before they do get to the courts. This year's budget, 2022–23, that has just been handed down has provided more than \$41 million in funding to help clear case backlogs after a number of in-person court services were deferred to keep the community safe.

There are some numbers I just want to mention briefly. Prior to this year's budget, in the year 2020–21 nearly \$81 million of investment for justice system recovery was provided, and in 2021–22 \$210 million was provided to continue justice recovery, to help drive down court backlogs and to bolster resources in the courts across our state.

The bill has several components, including to update the secrecy provisions in the Equal Opportunity Act 2010 to clarify that disclosures may be made in additional circumstances—namely, for serious safety threats or for mandatory reporting or to cooperate with freedom-of-information reviews. Another element of the bill is to clarify protection from religious discrimination for LGBTIQ+ students and school staff. It also updates the Charter of Human Rights and Responsibilities Act 2006 with gender-inclusive terms. Another element introduces integrated birth certificates for adopted people as well as other miscellaneous amendments to the Adoption Act 1984 and the Births, Deaths and Marriages Registration Act 1996.

It also amends the Judicial College of Victoria Act 2001 to increase diversity of the college board and to improve governance. It also clarifies the Magistrates Court's jurisdiction to determine referred VCAT matters involving federal jurisdiction and streamlines approval processes for making Magistrates Court rules. Another element is that it updates the Crimes at Sea Act 1999 to reflect a treaty between Australia and Timor-Leste and a new intergovernmental agreement between the state of Victoria, the commonwealth and other states. Lastly, the bill amends the Gender Equality Act 2020 to allow the public sector gender equality commissioner and other permitted persons assisting the commissioner to disclose information, again through the dispute resolution function, in appropriate circumstances.

There are so many elements of the bill. Given the time allowed to me, I will only go to some of the elements and not overlap too much with previous speakers. I would like to speak briefly on the element of the bill which strengthens the Equal Opportunity Act. The bill makes two changes to the Equal Opportunity Act 2010 to enhance community safety and improve anti-discrimination protections. Firstly, the bill promotes community safety and increases efficiency in justice system processes by expressly expanding the current exception to secrecy provisions to make it clear that the Victorian Equal Opportunity and Human Rights Commission can provide information to relevant agencies in appropriate circumstances; namely, to protect the welfare of others, such as where there is a serious threat of harm to a person, or when necessary under a mandatory reporting obligation. Additionally, the bill will reduce the time and the public resources needed for processing freedom-of-information

applications by clarifying that the Victorian Equal Opportunity and Human Rights Commission can use or disclose information to the Victorian Civil and Administrative Tribunal, also known as VCAT, for the purposes of FOI review application.

The second point of strengthening the Equal Opportunity Act is that the bill improves changes implemented last year in the Equal Opportunity (Religious Exceptions) Amendment Act 2021 in order to better protect Victorians from discrimination, particularly in schools and workplaces. The bill puts beyond doubt that section 83 of the Equal Opportunity Act only permits discrimination within religious educational institutions because of their very nature as religious educational institutions and that it can only apply on the basis of religious belief and activity. More importantly, it cannot be applied on the basis of any other protected attribute such as gender identity or sexual orientation. Our 2021 reforms, which will come into effect in June 2022, will provide critical protection for LGBTIQ+ people against discrimination in schools and in employment and in the provision of government-funded goods and services.

The house has to be reminded that we know that the Liberal-National coalition voted against these important reforms. Previous protections to prevent discrimination against LGBTIQ+ people were stripped back in 2011 by the former Liberal government and were blocked by the Liberals from being reinstated in 2016.

The other element I would like to touch upon is about removing gendered language in the Charter of Human Rights and Responsibilities Act 2006. The changes in the bill to the charter, which remove non-inclusive language such as 'he' or 'she', represent an important symbolic step towards the goal of making Victorian legislation progressively more inclusive. It has been a standard practice for many years to use gender-inclusive language when drafting legislation and amendments. Any proposal to update language across all of Victoria's legislation would involve careful consultation with relevant groups such as the legal community and LGBTIQ+ stakeholders to make sure that we got the detail right.

The other part is about the Gender Equality Act 2020 changes. The public sector gender equality commissioner is responsible for promoting and advancing the objectives of the Gender Equality Act and working with public sector organisations, local government and universities to improve gender equality outcomes. The bill makes amendments to the gender equality commissioner's secrecy provision to ensure the expertise and experience drawn from the dispute resolution process can inform the commissioner's work and to improve accountability and transparency in relation to systemic gender equality issues. This change will also assist the commissioner in educating defined entities to progress gender equality within their organisation and to promote gender equality in the wider community by providing case studies for how systemic gender equality issues can be resolved in the workplace.

In the time given I can only touch upon a few elements of the bill. As we have heard from various speakers, the bill is a technical one but it is very important, with several amendments to update, clarify and improve various justice-related acts. I commend the bill to the house.

Mr TARLAMIS (South Eastern Metropolitan) (15:27): I also rise to make a contribution today on the Justice Legislation Amendment Bill 2022, which as has been stated, is an omnibus bill. I might take this opportunity to thank the previous speakers who have made a contribution today in the chamber, in particular Ms Shing and Dr Bach, who shared their personal and informed experiences during their contributions. As has been said by previous speakers, this is a bill that makes a number of small but important amendments to update, clarify and improve various justice-related acts. The changes are quite technical and quite detailed. I know a lot of previous speakers have outlined a lot of those, and you will probably hear a lot of the same thing in my contribution again today, but again I think it is important that we do go over that and include that for the record anyway.

The bill responds to several previous reviews and calls for reform. It is a bill that shows that the Andrews Labor government is getting on with implementing the recommendations of the forced adoption parliamentary inquiry and is making our justice system fairer and more efficient. The amendments contained within it will help to streamline and modernise the operation of our justice legislation, and that is supported by our investments in courts and justice agencies to get through the backlog left by the COVID pandemic. They will implement some important consequential and symbolic changes but also will promote equality and clarity in the law.

The bill will update the secrecy provisions in the Equal Opportunity Act 2010 to clarify that disclosures may be made in additional circumstances—that is, serious safety threats, mandatory reporting or to cooperate with freedom-of-information reviews; clarify the protection from religious discrimination of LGBTIQ+ students and school staff; update the Charter of Human and Responsibilities Act 2006 with gender-inclusive terms; introduce integrated birth certificates for adopted people, as well as other miscellaneous amendments to the Adoption Act 1984 and the Births, Deaths and Marriages Registration Act 1996; amend the Judicial College of Victoria Act 2001 to increase diversity of the college board and improve governance arrangements; clarify the Magistrates Court judicial jurisdiction to determine referred VCAT matters involving federal jurisdiction and streamline the approval processes for making Magistrates Court rules; update the Crimes at Sea Act 1999 to reflect a treaty between Australia and Timor-Leste, a new intergovernmental agreement between the commonwealth, Victoria and other states; and amend the Gender Equality Act 2020 to allow the public sector gender equality commissioner and other permitted persons assisting the commissioner to disclose information gained through their dispute resolution function in appropriate circumstances.

Now, all of these amendments in the bill have been complemented by the investments that the Andrews Labor government have made in supporting the courts to recover from COVID, which has been a significant investment. As we know, the court system has not been immune from the impacts of the COVID pandemic—as all elements of the state—so we have made significant investments to address those issues as well. We have injected more than \$340 million since the start of the pandemic to ensure that the courts could continue to hear cases and to speed up the resolution of matters. This included bringing on more remote hearing services, upgrading technology, appointing more judicial officers and staff and providing legal support to resolve matters before they got to court.

The 2022–23 budget just handed down provides more than \$41 million in funding to help clear case backlogs caused by the pandemic, when a number of in-person court services were deferred to keep the community safe. In addition to this year's budget funding the government's total investment includes an \$80.978 million investment in 2020–21 for justice system recovery made up of \$12.47 million for initiatives to resolve matters before they get to court, including expanding pre-court legal services and reforms to the Victorian fines system to reduce the number of infringement matters that end up in court; \$44.21 million for initiatives to provide safe and secure court access for all Victorians, including to upgrade audiovisual link technology, provide better court infrastructure and support digital transformation of court and tribunal case lists, filing and management; \$24.15 million to ensure cases are heard and finalised quickly, including the expansion of the online Magistrates Court pilot electronic pop-up courts with improved AVL capabilities and to facilitate case management and listing systems; and \$210 million in the 2021–22 budget to continue justice recovery, help drive down court backlogs and bolster resources in courts across the state. This includes \$30.8 million to reduce wait times in courts by providing for extra resources, including innovative case management programs, expanding online services, the appointment of additional judicial officers, court support staff and remote hearing services. There is \$4.9 million to fund further expansion of the online Magistrates Court, ensuring cases are heard and finalised quickly. This includes two new magistrates to preside over the court. There is \$56.78 million to enable VCAT to transition more of its hearings online and provide quicker and easier case resolution for the community, and more than \$22.9 million to continue with successful measures such as active case management at the Supreme and County courts, which will reduce the load of judges and help to resolve these matters earlier.

As you can see, the investments along with the amendments in this bill will help streamline the processes and continue to help us catch up with the backlog that has been created as a result of the COVID pandemic.

Returning to the bill and the specific details of the amendments within it, I will go into a little bit more detail about those now. In relation to the forced adoption inquiry and the amendments that relate to that, on 8 September 2021 the Legislative Assembly Legal and Social Issues Committee tabled its report on the inquiry into responses to historical forced adoptions in Victoria. The government's response to the inquiry was tabled on 10 March 2022. The committee made 56 recommendations, of which 33 were supported by the government, including plans to introduce a redress scheme. The remaining 23 recommendations will be considered further.

This bill makes a range of priority amendments to enable some of the key recommendations of the inquiry to be swiftly implemented. Firstly, the bill makes a range of amendments to the Adoption Act 1984 and the Births, Deaths and Marriages Registration Act 1996 to implement recommendation 26 to introduce integrated birth certificates for adopted people. It also amends the Adoption Act to enable the Secretary of the Department of Justice and Community Safety to disclose adoption information to other organisations that require access. This amendment is necessary to allow a forced adoption redress scheme to be implemented in line with recommendation 18. It will also allow for future academic research into open adoption to occur, as set out in recommendations 14 and 15 of the report. Other amendments give the Secretary of the Department of Justice and Community Safety a clear function to provide additional adoption support services, which are the subject of recommendations 32, 37, 38 and 39. They amend the Adoption Act to enable the secretary to obtain, in order to properly protect, certain adoption records.

In relation to the integrated birth certificates, which are legal birth certificates that include the details of both the person's natural parents and adoptive parents and the date of adoption, currently in Victoria the only legal birth certificate in respect of a person who has been adopted is the post-adoption certificate, which shows only the adoptive parents. The bill will allow the Victorian Registry of Births, Deaths and Marriages to issue a post-adoption birth certificate that includes the details of the natural parents and adoptive parents and that can be used as a legally valid proof of identity. This integrated birth certificate will be available on application by an adopted person who is aged 18 years or older at their option.

The inquiry report noted that there are diverse views regarding birth certificates and that not all people who are adopted will want an integrated birth certificate. For example, an adopted person may not wish to disclose that they are adopted when using the birth certificate for everyday purposes. The bill provides adopted people with choice. South Australia implemented these birth certificates, which are recognised as valid proof of identification, in 2018. New South Wales and the Australian Capital Territory implemented their use in 2020.

Additionally, in line with recommendation 34 of the inquiry, the bill amends sections 76 and 92 of the Adoption Act to remove the requirement that the issuing of a pre-adoption birth certificate be subject to the same fee as the issuing of a standard legal birth certificate from births, deaths and marriages. This change will allow the fee for issuing a birth certificate to those affected by forced adoption to be covered by the births, deaths and marriages financial hardship and fee waiver policy, thus making it free.

In terms of additional amendments, there is the removal of mandatory counselling, which has also been spoken about earlier today. Section 87 of the Adoption Act currently provides that a person who has applied for adoption information, including an adopted person, must attend an interview with an approved counsellor before they can receive information about the adoption to which the application relates. The purpose of this interview, as currently conducted, is not to assess the applicant or make decisions about what should be released to the applicant but rather to offer advice and support to the applicant and to ensure they are aware that it may contain sensitive or confronting information.

Effectively this bill replaces the mandatory interview requirement with an optional offer of counselling before providing an applicant with access to the information and requires that an applicant be advised if the information could reasonably be expected to be distressing. These amendments to section 87 of the Adoption Act implement recommendation 28 of the inquiry and bring the legislation in line with current practice.

In relation to the repeal of the child protection grounds, there is an amendment in this bill which implements part of recommendation 56 from the inquiry that the adoption of a child on protection grounds be restricted as far as practicable. An adoption order permanently severs the legal connection between the child and their birth family. Usually fully informed consent of each parent or guardian of the child is needed before this can happen. In some cases consent can be dispensed with by the court—for example, if a parent or guardian cannot, after a reasonable search, be found. This bill will remove some of the current grounds for dispensing with consent which relate to the parent or guardian deserting a child or persistently neglecting or ill-treating a child. If these situations exist and the parents do not agree to the child being adopted, then the child can be kept safe and cared for within the child protection system.

Other changes in the bill relate to information-sharing provisions—I am just conscious of the time. There are also changes in the bill which relate to the strengthening of the Equal Opportunity Act 2010. The bill makes changes that enhance community safety and improve the anti-discrimination protections in the act. It promotes community safety and increased efficiency for justice system processing by expressly expanding the current exemptions to the secrecy provision to make it clear that the Victorian Equal Opportunity and Human Rights Commission can provide information to relevant agencies in appropriate circumstances. And the bill improves changes implemented last year by the Equal Opportunity (Religious Exemptions) Amendment Act 2021 to better protect Victorians from discrimination, particularly in schools and in workplaces.

There are also changes which relate to removing gendered language in the Charter of Human Rights and Responsibilities Act 2006, because our government strongly supports equality and the rights of the LGBTIQ+ community to be themselves and to be recognised for who they are. We will continue to take all steps to ensure that that occurs. There are changes in the bill which help to eliminate sexual harassment in our Victorian courts and tribunals, and there are also additional changes with regard to supporting our Magistrates Court in terms of the work that they do as well as changes with regard to the public sector gender equality commissioner to provide them with additional assistance and amendments to provide clarity in regard to their role as well.

Essentially this bill, as I said at the outset, will help streamline and modernise the operation of the justice system and, together with the investments that we have made through this year's budget and the previous year's budget, will continue to improve the system, as we have committed to continuing to do, and that is why I commend the bill to the house.

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (15:42): I just want to take the opportunity to thank all of the speakers today. There have been some really good contributions, and obviously the details of the bill have been well examined. As you know, the bill makes several minor but meaningful changes to several acts. It is a classic omnibus bill in the justice space, and it is all about clarifying laws and making improvements where you can.

The bill of course strengthens the Equal Opportunity Act 2010 and reflects changes that were requested by the Victorian Equal Opportunity and Human Rights Commission relating to secrecy provisions and relating to the appropriate sharing of information, particularly where it is of assistance to protecting the safety and wellbeing of others and also in certain FOI matters. The bill updates the charter of human rights with gender-inclusive language, removing references such as 'his or her' and replacing them with terms with gender-neutral language. This is something I have been wanting to do for a while, so it has been a good opportunity to be able to put it in this omnibus bill.

I certainly would like to acknowledge the work of the former Attorney-General, the member for Altona in the other place, and the Chief Justice of Victoria, Anne Ferguson, who commissioned the Szoke review of sexual harassment in Victorian courts and VCAT to identify ways to build a culture that calls out sexual harassment and certainly goes some way to giving workers and others across the justice system the confidence they need to speak without fear of reprisal. I am also pleased to report that the court services report is well progressed in implementing the 16 recommendations made to it by the review. Five are complete, three are partially complete and seven are in progress.

The bill acquits one of the recommendations directed at government. It increases the number of appointed directors to the Judicial College of Victoria board from two to four, improving the education provided to judicial officers by making the board more diverse.

I do want to spend just a little bit of time following up on some of the comments that people made in relation to our amendments that go to delivering the first tranche of actions that the government is taking in response to the Legal and Social Issues Committee inquiry into forced adoptions in Victoria. As I said when we released our response to that report, the forced separation of children from their mothers is a shameful part of our history. For many mothers, for children, for fathers and for siblings it has resulted in significant distress, grief and lifelong trauma, and we as a government want to recognise that harm that was caused by those practices. We are committed to providing meaningful acknowledgement and support for those that were impacted, and many of those continue to be significantly impacted by those practices.

One of the key messages that we did hear throughout the parliamentary inquiry was the need for recommendations to be implemented as quickly as possible. Therefore it is a really positive start that just a few months after the report was responded to we are in a position to implement several recommendations that lay the groundwork for the rest of them once we have the important scoping and design work for the redress scheme done, which has the full attention of the department, working with our community advocates at the same time.

The bill amends the Adoption Act 1984 and the Births, Deaths and Marriages Registration Act 1996 to enable the issuing of an integrated birth certificate upon request by an adopted person who is at least 18 years of age. An integrated birth certificate will be a legal identity document which includes the names of both the adoptive and birth parents of the adopted person. I would certainly like to acknowledge the advocacy in this space of the Victorian Adoption Network for Information and Self Help, VANISH, which has put forward the case supporting the introduction of integrated birth certificates for many years. I know that many of those representatives are pleased to see that finally happen, and I think they may be here today. Thank you again for your continued efforts in a really difficult space. Hopefully this is a proud day for your organisation and what you have achieved.

I am proud that people in Victoria, including Dr Bach, will be able to have an option such as this in the near future. Integrated birth certificates will have equal status to other birth certificates, and they will be free of charge for first-time applicants. I do want to thank Dr Bach for his contribution to this bill. I have missed him since he left the shadow portfolio of Attorney-General, but it is good to see that he has a strong interest in justice matters. I think somebody speaking about lived experience of adoption is something that is of great value to this chamber, so thank you for your contribution, Dr Bach, and your passion in these areas.

There were a few questions raised in today's debate. I just wanted to touch on the year-spanning issue, I guess—the years that this is designed to capture. It is based on the parliamentary committee's work and recommendations that the redress scheme for mothers affected by forced adoption should span 1958 to 1984. I am aware that some people are concerned particularly about the 1958 year. I want to provide some reassurance that these years are not necessarily set in stone. They were required to ensure that work progressed to do the scoping and things like that, but we are aware that some people have got issues with the dates. As that work continues we can certainly revisit them as I receive further information from key stakeholders who are involved with the design of the redress scheme.

There is also the Victorian Law Reform Commission review of the Adoption Act. This bill implements a recommendation from that review, removing the requirement for a mandatory interview prior to the release of adoption records to adoptees and other applicants. The interview requirement becomes optional and includes an obligation that the applicant is advised if the content of the record could be distressing. This update reflects current practice in place since adoption services transitioned to the Department of Justice and Community Safety. That is being done, but I know that there is some interest in further work. I again want to take the opportunity to put on record that work on implementing further recommendations from the VLRC's review is ongoing and occurring concurrently with the development and progress of the remaining recommendations contained in the parliamentary report. We certainly recognise that there is more work to be done on bringing the Adoption Act into line with modern expectations, and additional legislative changes will be brought to this place, including amendments to the Limitation of Actions Act 1958 to allow mothers to pursue civil claims against responsible institutions. This forms part of the broader work currently being undertaken in standing up the all-important redress scheme.

There was also some commentary and questions around clause 54, which makes amendments that remove some of the current grounds for dispensing with consent to adoption of a child. Adoption is a last resort as an adoption order permanently severs the legal connection between a child and their birth family. In most cases the fully informed consent of each parent or guardian of the child is needed before this can happen. It is imperative that the fully informed consent of the birth parents is required for an adoption to occur so that forced adoption practices of the past cannot be repeated or in any way replicated in a different form. So this is an important measure to have in there, but I have heard some of the concerns about individuals perhaps not providing consent for a range of reasons—maybe malicious reasons, maybe reasons that are not in the best interests of a child for a variety of reasons—but I do note that the bill contains an important protection measure, and that is that the court retains a discretion to dispense with consent where there are:

... special circumstances by reason of which, in the interests of ... the child, the consent may properly be dispensed with.

So I think that strikes the right balance. However, I will take on board Dr Bach's request for us to keep an eye on this, and I am certainly happy to do that. We know that adoption numbers in Victoria are extremely low. In the vast majority of cases they are step-parents taking on an adoption role, or a grandparent, for example, but they are very small and different to the practices of the past. But I think that that balance, where consent is not provided, that the court can step in and have a look at whether that is an appropriate thing or not, should be a good safety net for any of those cases that the opposition have identified that they remain a little bit concerned about.

This is the first tranche of reforms brought in this place implementing the government's response to the Legal and Social Issues Committee's work from the lower house. So I just do want to take the opportunity again to thank them for this work. I know it was really important work and it has created a real groundswell of passion for this issue across the Parliament, so it is great to be getting on with some of these reforms.

Why wouldn't you have passion when you are responding to some pretty horrendous stories from some pretty amazing women who have come forward to tell us how they were impacted by these practices? I commit to the women who were subjected to this that this is just the start of our government's commitment to responding to past practices that should never have happened, and we hope that this can provide some comfort and support for people that are in this situation. I do commend the bill to the house, and I really thank those members who have contributed today and will contribute to our future reforms when they come, in the next tranche of reforms.

Motion agreed to.

Read second time.

Third reading

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (15:53): It is not very often I have a bill that does not go into committee. You forget what you are doing. By leave, I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

The PRESIDENT: Pursuant to standing order 14.27, the bill will be returned to the Assembly with a message informing them that the Council have agreed to the bill without amendment.

Sitting suspended 3.54 pm until 4.18 pm.

The PRESIDENT: Members, we have in the gallery the Ambassador of Israel to Australia, His Excellency Mr Amir Maimon, and his wife, Mrs Tal Maimon. Welcome to the Victorian Parliament.

AGRICULTURE LEGISLATION AMENDMENT BILL 2022*Second reading*

Debate resumed on motion of Ms PULFORD:

That the bill be now read a second time.

Ms BATH (Eastern Victoria) (16:19): The daughter of a dairy farmer is going to lead off on the ag bill this afternoon. I rise to speak on behalf of The Nationals and the Liberals as the lead speaker on the Agriculture Legislation Amendment Bill 2022. It is certainly an omnibus bill, covering off on 11 different agricultural acts. I will go through each of these in some detail because they each have merit for analysis and discussion. The bill considers and amends the Agricultural and Veterinary Chemicals (Control of Use) Act 1992; the Catchment and Land Protection Act 1994, or CALP as it is otherwise known; the Dairy Act 2000; the Drugs, Poisons and Controlled Substances Act 1981; the Farm Debt Mediation Act 2011; the Livestock Disease Control Act 1994; the Meat Industry Act 1993; the Plant Biosecurity Act 2010; the Rural Assistance Schemes Act 2016; the Veterinary Practice Act 1997; and the Wildlife Act 1975.

Just to put it on the record, The Nationals and the Liberals will not be opposing this bill. However, we will look to ask a considerable number of questions in the committee of the whole, and I will foreshadow some of those questions in my contribution this afternoon. It is important to unpack some of the implications of this bill and the amendments within, noting the very important position that our agricultural sector has in our economy and in our lifestyles. They make our food, they provide the fibre that we wear—hopefully Australian made where we can—and they are an integral part of our very dynamic economy.

Australia's largest producer of food and fibre, Victoria, has \$17 billion—almost \$18 billion—worth of food and fibre. It also supports \$41.5 billion worth of food processing. Victoria's gross value agricultural product, or GVAP as we like to call it, was \$17.8 billion in the 2019–20 prepandemic period, noting, though, that during the whole of the pandemic the ag sector was one of those essential services that had to keep working, rain, hail or shine, putting food on our supermarket, health food shop, grocery and butchers' shelves—a very important thing that was done. Victoria is Australia's largest ag producer, up there at almost a third of Australia's GVAP. Almost 3000 people work throughout this industry, whether it is in food production, manufacturing or on the ground.

If I can be oh so parochial in terms of Eastern Victoria Region, Gippsland is synonymous certainly with the ag industry: agriculture, forestry—and I underline forestry, plantation and native timber; our sustainable native timber industry that needs to continue and not die and wither under the Andrews government—dairy, pastoral and fishing are also really important. There are 9000 food and fibre

businesses. They employ 16 per cent of our workforce in the regions. Three-quarters of these are engaged on farms and 25 per cent in value-added production. We are the dairy capital—as I said, I am a dairy farmer’s daughter—including milk, milk powder, milk cheese and yoghurt. It is a very, very important element as well, as are beef, sheep, wheat and the like. At the moment it is good green grass growing weather and certainly good beef weather, and we are getting good prices, which is important.

What does the Andrews government think of the ag sector? In the last two budgets Labor has cut \$86 million out of Victoria’s agricultural budget. The Labor Party has got all the priorities wrong in terms of the ag sector. The line item that features in this budget is about removing the native timber industry, some \$24 million for the flawed *Victorian Forestry Plan*. It fails to understand the importance of this industry. In fact it fails to understand to the point where there is not one mention of agriculture in all of the regional budget papers. Work that one out: it does not compute. It computes that the Andrews government values little our farmers and the economic drive that they have and the associated downstream jobs.

Research and development in new and emerging technologies, in ways to mitigate climate change, in ways to make sure that we have got maximum production, in soil carbon sequestration, scientists working on the very soil microbes, genomics and plant sciences, animal production and increased output with less carbon emissions—these are some of the things that should be happening in Agriculture Victoria, but AgVic has been cut by 100 jobs. Now, that is taking the focus off what should be a very, very important adaptation focus for this government. The rhetoric does not meet the actions of the Andrews government.

Let us look at the clauses in this bill, and I will go to the changes to the various acts. With the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, it updates the powers of authorised officers, removes certain barriers to sharing certain information with other regulators and clarifies requirements for giving notice, making requests and recovering debt. It also looks at the way labels are changed. They are changed under the Australian Pesticides and Veterinary Medicines Authority. That is an Australian body who provide labels and assess various pesticides and medicines. The APVMA is a very important element in the assessment. They update labels as well.

There have been some fairly large claims out there in the social media world, and I would certainly like in the committee of the whole, if I do not get time in this second-reading speech, to talk about what is actually in the bill and what is out of the bill. I have had people write to me and question it. I do not want to cosy up to the government, but what I do want is the facts that are contained in this bill, because the facts actually flow out to ramifications for our farmers and our agricultural industry as a whole—and our landscape. Our environment is really important. We want to find out what is in there and what is not in there, and we will look at that.

Clauses 31 to 49 look at the Catchment and Land Protection Act 1994, the CALP. It goes into the control of noxious weeds and pests and strengthens the related inspection enforcement powers of authorised officers, and again I want to drill down into some of what the authorised officers can and cannot do in this bill.

I note that clause 46—and the Scrutiny of Acts and Regulations Committee refers to clause 46—includes areas that look into protection against self-incrimination and work into that. The Scrutiny of Acts and Regulations Committee, who present a weekly report to the Parliament, have said that they want to seek further information from the minister about the compatibility of clause 46 with the charter of human rights, so that will be most important to come back to us.

One of the things that frustrates me with governments as a whole is in terms of being a good neighbour. We have private land, and private landowners have a responsibility to keep their pests and weeds down, without a doubt. It is hugely important. I know my father used to spend hours and hours on the back of the bike going around getting rid of blackberries, tussocks and also trying to get rid of foxes and rabbits. But what has happened, to my mind, is that the Andrews government seems to have

definitely dropped the ball in terms of a landscape-wide approach to habitat maintenance and protection, but also managing threatened species. What we heard in the declining ecosystems inquiry, which I was on and others in this chamber certainly were engaged in, was that there needs to be a whole-of-landscape assessment of threatened species and management of those threatened species. There should be statewide management. One of the crazy things about the bureaucracy of the Department of Environment, Land, Water and Planning, which is one of those mega departments, is that over 50 per cent of the employees in DELWP work out of the CBD of Melbourne. This is a department that caters for and should be in charge of caring for and bringing about good changes in the environment—the country, the landscape—and the bulk of them are sitting in Melbourne. About 11 per cent, give or take, are field officers.

That needs to be turned on its head. What we also know from the inquiry is that the highest threat, the largest threat to land-based species—and this came through from the CSIRO report—is invasive species, weeds and introduced predators. They are the main threats to our ecosystems and, by association then, to our farming agricultural land as well, not harvesting—and I cannot underline that enough. The other thing that is hugely affecting our ecosystems, both public tenure and private, is bushfires. We have seen the lock-up-and-leave mentality, the lack of proper burns and the lack, in the past, of engaging with our traditional owners—our firestick. Dr Victor Steffensen is one of those incredible advocates for his people but also for the right way to burn. I cannot debate this bill without putting forward those things that we need to look at.

Pests and weeds are very important to get rid of, and doing it in the right way and with the right focus needs to be addressed by any government, this one included. One of the key things that we know in regional Victoria is that blackberries on roadsides, on V/Line train tracks and on public land and mistletoe, agapanthus, arum lilies, English broom and pampas grass are all examples of weeds that were probably once planted or even sold in nurseries that now end up on our roadsides creating quite a bit of havoc. And there is a pushback from people. There are some amazing people that work in our communities, grassroots people who are ‘friends of’. I have just got an email from the Friends of Morwell National Park. They do amazing work out there to regenerate, restore and encourage birds, insects, possums and the like. Friends of the Mitta clear off English broom, and there has been an extensive eradication program. Bamboo on the Strzelecki Highway is my pet hate—I drive past it almost daily. It has escaped from somebody’s garden, and now it is taking over the roadside. I wrote to the Minister for Roads and Road Safety asking for that to be cleared. There was a slashing that occurred; in effect it was given a lovely haircut, and it has grown back with greater vim. These are the sorts of things that need to be dealt with quickly and at the root to remove them.

Another thing that is in this bill is a reference that looks at weeds coming onto people’s properties, so onto farmers’ land—the mechanism of that is that it can be brought on by tractors, trucks and vehicles—and how to go about spotting them and what the ramifications are. One of the things that this house passed a little while ago was the Parks and Crown Land Legislation Amendment Bill 2019, and indeed in doing that it enabled camping on riverfrontages. Our amendment to that bill looked at seeking to have farmers’—the landholders—permission to have a negotiation, and often farmers and landholders do not mind people coming onto their licensed riverfronts. But where they do, they should be able to say no, because there are some vulnerable lands along those riverfrontages. What happens there? How does that impact? Who makes some of those choices about who brings it in? I will ask those sorts of questions in the committee of the whole. It is ironic that the livestock bill that was brought in here only recently and I spoke to was about putting the brakes on a biosecurity plan and penalties there for an individual who breaches a farmer’s biosecurity plan of 60 penalty units, but the maximum for bringing some statewide weed onto a property is 480 penalty units—that is eight times greater. So let us investigate some of that in the committee of the whole.

Clauses 50 to 52 look at the Dairy Act 2000 and make changes to that in relation to removal of the ambiguity about the application of the Public Administration Act 2004 to Dairy Food Safety Victoria employees to clarify that all of those employees are subject to the values and principles that are set out

in this act. My question in the committee will be: what is the notion behind this, and why are we having these values and principles apply to DFSV employees? What is not happening now that would need to happen? I want to just understand that on behalf of the community.

The next piece of legislation being amended is the Drugs, Poisons and Controlled Substances Act 1981. One of the changes around that is the transportation of schedule 4 and schedule 8 medicines to treat animals that have been affected by some catastrophe, and in many cases it is wildfire. We have seen that. I remember seeing in January 2020 at the Bairnsdale airport there were wildlife officers who had all their kit and gear and guns and medicines, and they were going out to Mallacoota to administer whether it be euthanasia or support for animals out there, both native animals and domestic livestock. They were very brave in fact because they have to do a pretty gruesome job. If this can assist in that, then I think that is certainly well worth it.

I see, Acting President Patten, that you happen to be in the chair. I would like to commend the work in terms of the use of low-THC—tetrahydrocannabinol—cannabis in terms of producing locally manufactured product for medicinal purposes. I note in Wonthaggi there is an extraction plant, MediPharm Labs, which is really important. It is important because the outcome is useful and important in treating certain conditions where other medical treatments are not having success—that can be really supportive—but also it creates jobs in our region.

In terms of the Farm Debt Mediation Act 2011, which is dealt with in clauses 89 to 107, this is a really important piece of legislation. It was brought in by my colleague the Honourable Peter Walsh back in 2011 when he was the agriculture minister. He brought it in because of the millennium drought and the need to have a support network for farmers who were at risk of foreclosure of their farms because they could not meet payments on farm loans. There was a process whereby they or their families could engage with a mentor to work through their financial difficulties. Sometimes banks can come in with a fairly heavy fist, and this was a way of connecting the farmer and the bank through a mediator to discuss a way forward. There is nothing worse than losing a farm—farms are also people's homes—and this enabled them to have that engagement. But what this does, though, is whereas once the farmer went to AgVic and then on through the small business commissioner, who then engaged the mediator for the bank, this takes out the middleman in terms of AgVic, so it is streamlining the process after some 12 years have gone by. That is a really important upgrade.

The other thing I would like to do is just give a quick shout-out to our Rural Financial Counselling Service. These are not-for-profits, and their core aim is to build aid in farming communities, build robustness, create some context and just be another ear to listen to people and understand what is happening on farm and be responsive to the pressures that the bank balance holds. I know some great local councils—Bass, Cardinia, Casey, East Gippsland, Latrobe, Mornington Peninsula, Nillumbik, Gippsland South, Wellington and the Yarra Ranges—deal with some of those. I know too that they were invaluable during that 2019 drought. They went into people's kitchens and worked on that.

The Livestock Disease Control Act 1994 is dealt with in clauses 108 to 144. An important part within this are the cattle, sheep and goat compensation advisory committees. These are jointly funded through the states and the commonwealth. This is really important. These clauses address Victoria's biosecurity by extending beekeeper registration requirements, establishing better risk management for livestock and providing for—this is the bit where the advisory committees come in—an exotic diseases fund to pay the costs of administering exotic disease response activities that are associated with protecting animal welfare. This means that the funds can go where they need to go, so if there is an outbreak of whatever in Queensland—whether it be an Asian bee population and the mites that they bring in—then there can be the funds directed there to mitigate those biosecurity risks. The VFF, the Victorian Farmers Federation, are quite concerned that this change in these advisory boards does not change the VFF's role in how they appoint their member to those compensation funds. So the bill must not exclude the VFF from putting forward names of specified positions for the cattle, sheep and goat compensation committees, and I will certainly be asking the minister for assurances on behalf of

the VFF. But the bill talks about skills-based committees, and we need to make sure that the various entities do have still a stake at the table. So I will be looking at that.

Other clauses look at the Plant Biosecurity Act 2010, and they are clauses 145 to 164. They change support for inspectors when interpreting and applying the act and change the definition of 'plant health declaration' to provide clear power to authorise a person to use a declaration, such as issuing an order to prevent the entry of pests and diseases.

The Rural Assistance Schemes Act amendments continue in clauses 165 to 167, and they just tweak a part so the rural assistance commissioner can operate part time rather than full time. That provides some flexibility, and I hope then some diversity of workers can come into that.

The Veterinary Practice Act 1997 goes to clauses 168 to 193, and this is an area that I want to discuss with the house and certainly in committee of the whole. There have been some concerns raised by the Australian Veterinary Association, and indeed Dr Hugh Millar wrote to the Shadow Minister for Agriculture, Peter Walsh, about their concerns and specifically clause 189. I will just read some of the document, the email that was sent to Peter Walsh as the shadow minister. Certainly there are 8500 members across Australia, and there is a Victorian contingent there. They say:

Regretfully, the AVA has not received the opportunity to consult on these proposed amendments.

This is a peak body in Australia, and our Victorian division represent Victorian veterinarians. One of their key concerns is that this proposal would change, in clause 189, the composition of the Veterinary Practitioners Registration Board of Victoria to:

... remove the current requirement that the President and the Deputy President of the Board are registered veterinarians.

So something I just want to flag with the minister is that I would like to raise and unpack some of those assurances to make sure that there is adequate representation. They talk again about a skills base; well, it is really important, if you have got a peak body, that there is representation there from the veterinarians, so let us look into that.

The Wildlife Act 1975: clauses 194 to 195 certainly look at protecting protesters and protecting the hunters. This looks at correcting an administrative error to clarify who can remain in a specified hunting area at times during the duck season and holding a relevant game licence. So protesters—indeed anyone—must have a relevant game licence to be on game land, and that is clarified in this bill. It stops confusion about who can and cannot be on wetlands during duck season. Also a duck identification certificate will be needed to give authorised individuals the right to be on that particular wetland. What I would like to foreshadow—indeed I would be happy to circulate it now and then move it in committee—is my amendment.

Opposition amendments circulated by Ms BATH pursuant to standing orders.

Ms BATH: This amendment affects clause 194, and it seeks to insert a greater distance, an increase in distance, from 10 metres to 30 metres, improving the safety of game hunting. This is an amendment Mr Bourman was also going to move in this house, but he is unfortunately unwell and will not be in for the week. This is an important step to provide that additional level of safety, and I acknowledge Mr Bourman has the same view as the Liberals and The Nationals.

A few weeks ago there was a 30-metre duck-shooting piece of information that came around from the Game Management Authority. A lot of people have a love-hate relationship with the GMA. Some people think it is fabulous and other people want to get rid of it. I will take it as read at the moment on face value. The GMA looked at having an increase in the maximum shooting distance. There was an increase to 30 metres in order to ensure—the following examples are in place—a reduction in birds being wounded. They are going to be shot and killed effectively at that time, and there are heavy penalties if that does not occur. Certainly increasing the distance that a person has to be from somebody

hunting can also provide that buffer for their own wellbeing. That is circulated, and we will move it in committee of the whole.

Finally, in the Meat Industry Act 1993, it looks at a very important factor. We love to sell our produce. We love selling it at local farmers markets and other markets, and we know the importance of that. What this means is that, if a distributor or, say, a farmers market person has a refrigerated van and the meat that they are selling has been cryovacked at an abattoir or butcher or meat processor that has a PrimeSafe licence, they themselves do not need to have that licence and therefore they can sell it and the customer can know that the quality is there, that it has been packed under high regulation and oversight and that it is a good quality of food. But it does not put an onerous nature on that person to have a PrimeSafe licence.

They are some of the amendments. Just in finalising, The Nationals and the Liberals will always back our ag industry. We value them very deeply. We know that there needs to be sufficient legislation and oversight and regulation. What we want to do is ensure that there are no negative effects from this bill, and we will certainly be investigating that in committee of the whole. I understand that there are some amendments coming from the Greens and Mr Meddick, and I will make more of a comment when we get to the committee of the whole.

Mr MELHEM (Western Metropolitan) (16:49): I also rise to speak on the Agriculture Legislation Amendment Bill 2022. It is a very important bill which makes some changes to 11 acts and seeks to improve the administration and enforcement of these acts which relate to Victorian biosecurity and food safety acts, the Veterinary Practice Act 1997, the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, the Meat Industry Act 1993, the Catchment and Land Protection Act 1994, the Rural Assistance Schemes Act 2016 and the Farm Debt Mediation Act 2011.

We all know that the agriculture industry in Victoria plays a major, major role. It is one of our biggest industries. Some people might say Victoria punches above its weight when it comes to agriculture in comparison with other states because we produce so many things in Victoria in the agriculture sector, from beef to sheep to crops—you name it. That is why the Andrews Labor government wants to continue investing in growing our agricultural sector and making sure that the jobs it supports will continue to grow. That is why we are backing agriculture with an ambitious vision for its future.

We have invested in fact in the period of eight years we have been in government over four times more than the previous coalition government, which neglected and cut funding in agriculture and regional Victoria. I think it is very important to note that point. Despite the challenges of the pandemic and global shocks to the supply chain, Victoria remains the nation's largest agricultural exporter, accounting for a massive 27 per cent of our national food and fibre exports. That is \$14 billion in exports. For comparison, the next largest exporters are New South Wales at 19 per cent, with \$9.6 billion, and Queensland at 17 per cent, with \$8.6 billion. The overall value of agricultural production in Victoria is \$17.8 billion and, as I said earlier, we are the largest producer in the country. We have some 21 000 farm businesses across the state, supporting 75 000 jobs in the agriculture sector predominantly located in rural and regional Victoria.

I will go through some of the breakdown. In milk, for example, we have around 64 per cent of national production. In sheep and meat we account for about 46 per cent of national production. In vegetables we are also the nation's largest producer. Taking into account the horrible weather in northern Australia—Queensland and New South Wales—including the floods and the damage they have done to various crops, I think Victoria will come in and fill that gap. We account for about 25 per cent of national production. Our food and nuts, for example, are about 35 per cent of national production. So the Victorian agricultural sector is very, very important, and it is important that we make sure that we make all the necessary changes in legislation and foundational investment to make sure the sector continues to grow to support not just Victorians and Australia as a country—I think the export market is also very important. We know there is a lot of demand for agricultural product, particularly Australian products, in various other markets, whether it is Asian markets or European markets.

One of the areas where Victoria is leading the way is our commitment to the hemp industry. A 10-year strategy was put in place by the Andrews Labor government to provide a road map for action and investment in that sector in particular. This includes supporting that particular emerging industry to develop commercial production. It was first legalised in 1998. I was watching the news this morning, and one of the biggest votes in Queensland was in relation to medicinal cannabis, which has been legalised in Victoria. I believe the group running in Queensland nearly got a Senate seat. I know, Acting President Patten, that is something that you have a lot of interest in. I am not sure whether they are part of your party or a different party, but the point I am making is that it is a very important industry, and the Victorian government is fully behind the industry in making sure that commercial hemp crops are grown in all states and particularly in Victoria. We know Tasmania is a big commercial producer of that product. There are currently around 62 industrial hemp licence holders in Victoria, including six authorised for research purposes.

The other points of the legislation and the amendments to the various acts I will talk about address the ability to respond to animal health and welfare in an emergency. There will be further amendments to the Drugs, Poisons and Controlled Substances Act 1981, which will ensure that vet practitioners can rapidly respond to animal health and welfare needs in emergencies such as bushfires and floods, and certainly we have been experiencing a fair bit of that of late. For example, the Black Summer bushfires in 2019–20 highlighted issues which delayed or prevented the urgent provision of vet supplies and medicines for the treatment of livestock, companion animals and wildlife caught up in the disaster. The commercial supply chain cannot always manage the supply and demand in an emergency, especially if you add COVID to it as well. We know there are major problems with the supply chain, not just for that particular sector in relation to drugs, poisons and controlled substances in relation to animal welfare but pretty much for everything else that is suffering because of it. The bill will make amendments to allow an animal health emergency to be declared, mirroring current provisions for public health emergency orders. So in future emergencies this provision will allow for specific requirements in the act to be suspended or altered temporarily to ensure an efficient response to animal welfare needs, and I think that it is very important that we do that.

I want to take this opportunity to talk about the outstanding veterinary and wildlife carers in Victoria, who do not hesitate to go out and respond when there is an emergency. I am so grateful for their contribution. These important amendments will help them get on their way and do their jobs, and they do some amazing work. The bill contains amendments to the Veterinary Practice Act 1997, as I said, to allow them to actually respond to emergencies.

I just want to highlight what the Andrews Labor government have introduced recently. We are supporting the introduction of free TAFE, and we have made sure that we have now added a certificate IV in vet nursing to the free TAFE list in 2022. That is one of many free TAFE certificates and diplomas, and it was important to actually add it to the list.

The other thing that I want to recognise is the former—and I take pleasure in saying ‘the former’—commonwealth government. They concluded their term on the weekend, but I want to recognise the work they have done. One of the areas we had a limited capacity in locally was in trying to increase the number of vets, and it is a process that takes about six years. The federal minister for agriculture as well as the Department of Home Affairs made the decision to add vets to the priority migration skilled occupation list. I think that is something that is welcome, and that might fill some gaps while our veterinarians are actually undergoing their training, which will take, as I said, about six years for them to actually get a full qualification.

It is important that we are able to provide the support for the animals who need it the most. I can talk from experience. Vets and vet nurses do some wonderful work, and I have been dealing with them for the last 20-odd years, whether they are looking after a sick cat, a sick dog or a sick cow or sick horses. I deal in my daily life with vets all the time, and the work they do is great work. It is very important work, because unlike with doctors and humans, animals unfortunately are not able to actually tell you what is wrong with them. You might get, where there is a physical injury or an internal injury, basically

a sad look or an inability to do their normal stuff, but that is the vet's role to basically make sure they are able to diagnose these animals and provide them with treatment. It is a very important occupation, and I am glad for all the wonderful work they do to look after animals.

There are a number of other areas the amendments will actually address. I will not go through them; I am sure other speakers will address them. There is the Farm Debt Mediation Act 2011 amendment, which makes sure farmers are able to request mediation when they are not in default and still maintains their right to be offered mediation if a creditor later intends to take enforcement action; that now will transfer back to the Victorian Small Business Commission. That will help in sort of removing some of the double handling. Also there is the Rural Assistance Schemes Act 2016. That amendment will enable external members appointed under the act to be employed on a part-time basis and will clarify ministerial delegation responsibility. Also there is the Livestock Disease Control Act 1994, which has a number of committees—four compensation committees in fact—for the control of livestock diseases like in cattle, swine, sheep, goats and bees. The amendments will allow for discretionary powers for the refusal of or imposition of conditions on beekeeper registration and will also improve the administrative arrangement of the committees while continuing to ensure they are guided by industry skills and expertise. The Wildlife Act 1975—there will be some amendments to that as well, also in relation to biosecurity.

The other changes, which talk about some of the meat packaging, allow small operators to be able to operate, removing some red tape whilst maintaining the industry standard and making sure that food sold for human consumption—in fact for any consumption, including pet consumption—strictly adheres to the standard required to make sure these standards are met.

So the bill basically delivers on the commitment by the Andrews Labor government to make sure we have a viable and safe agricultural sector in Victoria and to allow it to grow. We will remove some of the red tape and streamline some of the various provisions of the various acts to make sure people get on with their day jobs and basically produce food to feed not just Victoria or Australia but in fact the world. It is important. That will go a long way to making sure we make life easier for people on the farms, making sure they continue on and strive to the highest possible standard and making sure we have got a viable industry. So with these few comments, I commend the bill to the house.

Mr MEDDICK (Western Victoria) (17:04): I am pleased to rise to speak to the Agriculture Legislation Amendment Bill 2022. I am interested in anything to do with agriculture. It is one of our most important industries, which provides us with food and clothing. We also unnecessarily and sometimes to a grotesque degree exploit the bodies and lives of others in the process. This is why I will always support the best in agriculture and always guard against the worst. As you would expect, there are a couple of areas that my constituents and animal-loving Victorians would like me to tweak in this legislation. I am bringing two amendments, one affecting the Wildlife Act 1975 and one affecting the Meat Industry Act 1993, and then later I will also be bringing an amendment to clause 189. I am happy to have all of those amendments circulated now.

Animal Justice Party amendments circulated by Mr MEDDICK pursuant to standing orders.

Mr MEDDICK: I will be speaking to the initial two amendments, the Wildlife Act one and also the Meat Industry Act one, now, but I will reserve a few comments during committee for clause 189 on the vet board.

My first amendment affects section 58C of the Wildlife Act 1975, which is the section that deals with duck shooting. My amendment broadens the scope of what it means to be a good Samaritan by ensuring rescuing ducks is recognised as a legitimate activity during duck-shooting season. A good Samaritan is someone who provides assistance or care to someone in need. For someone to be a good Samaritan there can be no expectation of reward for providing that care, and that care must be in response to someone who is in genuine need. In other words, without the care of that good Samaritan someone would suffer or possibly die. The good Samaritan law says that someone who is caring for

another is not liable for anything done in good faith and cannot be prosecuted. Unfortunately, like many of our good laws, the good Samaritan law applies prejudicially and narrowly to only one species—our own. The good Samaritan law allows us to respond with empathy to someone who is suffering without fear of penalty or prosecution, but only if you are human; apparently empathy and caregiving stop at our own species. Our laws value human life whilst treating animals as expendable commodities. We are life loving and nature loving. When we see an animal suffering or in pain, most of us are compelled to help that animal. By bringing this small amendment I hope to close the gap between the best of who we are as humans and our laws, which do not always support the best of who we are.

So what does our amendment look like? Under section 58C of the Wildlife Act, in the case of duck shooting, it is an offence to be in the water before 10.00 am—that is, unless you are licensed to kill or acting under some authority, like the Game Management Authority or police. That will not change. Let me repeat: the requirements to be licensed or authorised to enter the water before 10.00 am will remain. Of course I would prefer it was legal to rescue suffering birds at any time. They may need care or rescue. It seems irrational that if someone sees an injured or suffering bird before 10.00 am it is illegal to care for them. However, these archaic laws remain, and we do not have the power to change them today. However, we can ratify duck rescue as a legitimate activity within licensing requirements.

Some shooters would have us believe that there is no need for duck rescuers, that the law is sufficient to protect against animal cruelty. The Premier himself stated that any duck shooters who break the law will feel the full force of the law. However, this year, like every year, we have witnessed facts to the contrary. This year, as every year, protected and threatened species are being shot, young are being orphaned, birds are being hurt, nests are being destroyed. Every year birds are shot, injured and spend their final moments in the mouth of a dog or having their necks twisted by shooters if the gun does not get them straightaway. Imagine their distress.

Every year rescuers find pits of dead and dying birds. While this is happening on our wetlands our good Samaritans, our duck rescuers, must stand back, watch helplessly and do nothing, or when they decide to act with courage and enter the water to help a bird before 10.00 am they may be arrested, face police, courts, prosecution and fines. These inane clauses in the Wildlife Act 1975 will unfortunately remain. Our amendment only serves one purpose—to make explicitly lawful what is currently not unlawful anyway. It is not unlawful to rescue ducks after 10.00 am now. With your support this amendment will make rescuing ducks after 10.00 am explicitly lawful, and those doing so before 10.00 am are licensed to do so. Our amendment ratifies in law what already happens anyway. Duck rescuers help injured ducks out of the water and take them to veterinary care. The reason we are bringing this amendment is to recognise that duck rescuers are an intrinsic part of duck-shooting season, acknowledge that duck rescuers are required on the wetlands every year to save not only ducks but injured endangered species, ensure that rescuing ducks is a lawful activity and that it reflects our values in law. Our amendment to section 58C will enable the wildlife regulations to be amended, which can then define what a duck rescuer is.

Colleagues, this is why I seek your support: this amendment must be accepted before the Wildlife Act can reflect duck rescue as a lawful activity. This amendment must be accepted before the regulations can define what a duck rescuer is, which can include licensing requirements. The amendment to section 58D is a simple reflection of 58C to ensure consistency in the act. With the passing of these amendments the law will better reflect two of the best characteristics of human nature—courage and compassion.

My other amendment relates to the Meat Industry Act 1993. The government is amending the definition of ‘game meat’. The animals classed as ‘game’ are generally animals that are foreign to this land. I mean, we would not include native wildlife in that definition, surely. That would be illogical. These introduced animals are defined as game, ensuring they are unprotected and vulnerable to a plethora of other lethal interventions. The protections offered by our anti-cruelty laws and our laws that protect wildlife do not apply to game animals. This government calls these introduced animals

‘ferals’ and ‘pests’. I prefer to call them ‘introduced’. There is no need to condemn them in our language. They did not ask to be brought here.

There is one species that is more condemned than any other. It is not the pig or the goat or the deer or the rabbit. You should all know what animal I am referring to—the First Nations totem, the environmental engineer, the animal that travels the songlines, the subject of art, the animal beloved around the world, the remarkable marsupial and fascinating macropod, the proud and indigenous kangaroo. Even though kangaroos are native, totemic, sacred and critical to the health of country, kangaroos are listed as game in the Meat Industry Act 1993. This belies all good sense and is frankly a continuation of the arrogant colonial mindset that still plagues this nation. On behalf of all kangaroos in this country, on behalf of First Nations communities who hold kangaroos as their totem, on behalf of all those who love and respect the wildlife on this continent, my amendment removes kangaroos from the list of species condemned as game. This is an opportunity to start giving non-human animals better protection in law. A good one to start with is our most iconic one, the kangaroo.

Ms BURNETT-WAKE (Eastern Victoria) (17:14): I rise to speak on the Agriculture Legislation Amendment Bill 2022. The Liberals and The Nationals will not be opposing this bill. As Ms Bath said before, there is an amendment that she will be introducing, and I support that fully. This is quite a large omnibus bill that seeks to amend 11 different acts. It will bring about many changes, some of which I will address in my contribution today. Broadly speaking, these changes relate to inspection and enforcement powers of authorised officers, controls for noxious weeds and pests and registration of veterinary practitioners.

The first amendments that I wish to touch on are those to the Catchment and Land Protection Act 1994. This bill amends that act to improve controls for noxious weeds and pest animals and to strengthen inspection and enforcement powers. It also amends offences for the spreading of noxious weeds. It inserts a new section 58C that allows the minister to declare a state prohibited weed or pest animal to be a notifiable species. It also gives the minister power to revoke that notifiable species listing if the weed is no longer a state prohibited weed or it has been eradicated. The effect of this is that any person who comes across one of those notifiable species must, without delay, notify the secretary by the quickest means of communication available.

The bill seeks to strengthen oversight and management of problem weeds and pest animals, which can only be a good thing given the toll these things take both on our environment and on our agricultural industry. This bill makes clear the penalty for buying and selling noxious weeds, which is currently 122 penalty units but it is soon to be up to 480 penalty units. The penalties differ depending on the category of weed. At nearly \$182 a penalty unit, that is a fine of over \$87 000 for buying or selling a noxious weed or seed. That seems quite significant; however, the diseases that come from noxious plants and pest animals are incredibly dangerous to our agricultural industries. They have the potential to wipe out an entire industry.

There are many successful farms across Eastern Victoria Region—my region—and today the chamber is very lucky that it has two eastern region representatives promoting the region and talking about our wonderful area. Gippsland has a booming beef and dairy industry, and potatoes are one of many of the specialties that come from the Narracan and Bass electoral communities. Agriculture and farming are the bread and butter for so many of my constituents in Eastern Victoria Region, and it is important that we do crack down on noxious weeds and pests as they are definitely a threat to these industries.

There are also many community groups in Eastern Victoria Region that focus on improving our environment by eradicating weeds, and I want to take some time to talk about some of those today. There are some amazing volunteer groups that come to mind, such as the Friends of Sassafras Creek, the Community Weed Alliance of the Dandenongs and the Friends of Gembrook Park. I know that the Friends of Gembrook Park were recently calling on locals to help remove English holly from Gembrook Park, and I would like to congratulate them on eliminating most of the English holly from the park and for their ongoing work in removing this invasive plant.

The Community Weed Alliance of the Dandenongs also do a wonderful job of educating the community on the importance of eradicating weeds through various public talks. Where I live in the Dandenong Ranges we have huge problems with English ivy and wandering trad, just so invasive all throughout the Dandenongs. I myself have been fortunate enough to attend one of these excellent community education programs. I learned so much, so I just commend the Community Weed Alliance of the Dandenongs for putting these programs together for the community to attend.

There are many other groups right across the Eastern Victoria Region that do this type of work, so just thank you so much for all of those groups that take the time to do the wonderful work they do. If you think about it, if all of these volunteer hours were put together for removing all the weeds that they do, it would come at huge cost, so if you look at it from that perspective and then consider the levels of the fines—anyone looking to buy and sell harmful plants will be met with a huge fine—it does make sense to me why the fines are so big considering the issues that these weeds and pests can cause.

One of the main issues with weed control in the Dandenongs is the fact that we are surrounded by state-owned national parks. In fact that is an issue right across Eastern Victoria Region. State governments are responsible for managing the risk of invasive plants and animals. This is sadly not what happens in reality. One of the worst neighbours you could have is the state government, because that parcel of land will most likely be riddled with weeds and pest animals that are not controlled in the ways they are meant to be. Under the Catchment and Land Protection Act 1994, all landowners, public and private, have an obligation to the environment to manage their weeds, yet the state government do not seem to think that this applies to them. These weeds only spread, making things more difficult for surrounding landowners and the environment.

The next amendments I wish to discuss are the changes to the Agricultural and Veterinary Chemicals (Control of Use) Act 1992. Under this bill, authorised officers will be given increased inspection powers. This includes the ability to inspect any part of a property to ensure correct chemical product labelling is used. Officers can also enter properties if they reasonably suspect that equipment at the place is being used to manufacture chemical products or that there is likely to be contaminated produce on the farm. They can ask questions, they can take photos and they can take samples, so there is quite a lot that they can do. One of the main concerns that has been raised with me is that officers will be able to enter homes. However, the legislation makes it clear that the powers do not include the power to enter the residence. They may enter and search the shed on a property, for example, but not the home.

The Liberals and The Nationals do have some concern around the notice requirements for landowners, because in some situations the landowner does not live on the farm or may not be present. Authorised officers can enter the land without the occupier being present but must, on leaving, leave a notice setting out the time of entry, the purpose, a description of all the things done while on the land and the time of their departure. I have some problems with this. This brings to mind the issue that I previously raised in this chamber of the Pakenham East property acquisitions, where the Level Crossing Removal Authority acquired properties to make way for new train stations. Some of my constituents were not home when the state representatives knocked on their door to inform them they would be taking their land. Residents were left to find out what was happening in the newspaper the next morning. When I raised this issue in the chamber, the response I received was to the effect that notices were put in the letterbox if residents were not home. That may have been the case, but whether that is fair and what Victorians should expect their government to do is another question. In this unfortunate case the residents did not check the letterbox before reading the morning newspaper. I personally do not think that a note in a letterbox or attached to a fence post is always appropriate. There are too many what-ifs, especially when these decisions impact on people's livelihoods. If a notice is nailed to a fence post on a large property and it rains and the landowner does not see it, what happens then? It becomes a bit of a he-said, she-said situation and opens the door for conflict around these powers to inspect. My colleagues in the other place asked questions around this and were told common sense would prevail.

I think it would be more common sense to make it clear in the legislation exactly how non-present landowners will be kept informed of what has been done on their property.

The last thing I wish to quickly discuss is amendments to the Drugs, Poisons and Controlled Substances Act 1981. These will allow an animal health emergency to be declared, which means vital medicines that are required in times of emergency are able to be provided quickly. East Gippsland was devastated by fires two years ago, and many animals were harmed or seriously injured. A lot of these animals were taken to the animal hospital at Healesville Sanctuary or helped by various local vets. These changes will ensure that drugs are available on the ground in bushfires and emergencies. I know this definitely would have been very helpful in Eastern Victoria Region two years ago, and I am glad to see that this is incorporated into this bill.

There are many aspects of this bill, and it is difficult to discuss them all with the time that I have, but overall the new powers for authorised officers should help prevent invasive pests and diseases being spread and act as protection to our vital farming and agricultural industries. On one hand we have the government introducing new powers but on the other hand they are cutting jobs from Agriculture Victoria. As Ms Bath said in her contribution, the funding has been completely gutted; there is nothing in the budget. In February Agriculture Victoria were looking for workers to enter into early retirement to redirect money elsewhere. There is no point introducing these extra powers if there are no staff to enforce them. I would urge the government to stop cutting funds from agriculture in Victoria. Our farmers and their families work incredibly hard, and they are worthy of support. I will leave my contribution there.

Ms TERPSTRA (Eastern Metropolitan) (17:25): I have had the benefit of listening to the contributions on this bill, the Agriculture Legislation Amendment Bill 2022. It is a very important bill, but I will confine remarks to the amendments in regard to supporting veterinarians. As we know, our veterinarians do amazing work. They look after our most treasured furry and feathered friends, or children, and I will confine my contribution to this. The Agriculture Legislation Amendment Bill contains amendments to the Veterinary Practice Act 1997. I will just go through and, as I said, acknowledge the outstanding work that our veterinarians do in helping us to keep our furry and feathered family friends safe and well.

On Saturday, 30 April, World Veterinary Day was marked, and it was a day to celebrate the outstanding work that our vets do, and did, and to promote their profession. I want to acknowledge it has been a difficult few years for vets right across Victoria. Off the back of the bushfires we went straight into a pandemic, which has seen a surge in pet ownership and a subsequent surge in demand on vets. All this has coincided with a shortage of vets and also a shortage of vet nurses. In fact we have heard from many vets that the strain has led to high levels of burnout and vets leaving the industry. Unfortunately we also often hear of the emotional toll that this takes on the mental health of those in the vet industry. Their work is stressful in nature and in higher demand than ever before. That is why it is so important that we support our veterinarians, and that is exactly what our government is doing.

In recognition of the staff shortages and capacity constraints faced by the vet industry, the government recently added the certificate IV in vet nursing to the free TAFE list for 2022. Through this investment more Victorians will be encouraged to participate in education and training and broaden their employment opportunities within the veterinary sector. I can attest to the fact that the addition of the cert IV in vet nursing studies has been very, very popular—it is a popular course amongst many people in Victoria—and it is great to see such an interest in a really important skill and training offering.

Through this investment, as I said, Victorians will be encouraged to participate in education and training, and this will broaden those employment opportunities within the sector. But we recognise that there is a limit to our local capacity to train increased numbers of vets, a process which takes six years. The Minister for Agriculture has welcomed the Australian Department of Home Affairs decision to add veterinarians to the priority migration skilled occupation list. Occupations on this list are recognised as providing critical skills needed to support Australia's economic recovery from

COVID and will be given priority for processing. So while these are not short-term solutions, we will begin to see an easing of the significant strains faced by veterinary professionals.

All Victorians can be grateful for the outstanding work done by vets, vet nurses and their colleagues in such challenging circumstances. However, government support does not end there. Our Animal Welfare Fund also directly supports vet clinics that offer low-cost services to Victorian pet owners. Since we were elected more than \$5.8 million has been awarded to over 100 organisations, including vet clinics and animal shelters. At the 2018 election we promised \$2 million in grants for not-for-profit and community vet clinics to maintain and expand their services and for new low-cost clinics to be set up in areas of need around Victoria.

The grants have included \$150 000 for the new Westside Community Desexing clinic, which is now open in Sunshine, providing a dedicated cat desexing clinic for the western suburbs, and over \$200 000 awarded to the Lort Smith Animal Hospital for its new Campbellfield facility. A total of \$250 000 has been awarded to the Australian Animal Protection Society and its facility in Keysborough, including \$150 000 for its new community vet clinic. Meow and Friends Community Vet, based in Cranbourne West, received \$50 000 to expand its desexing facilities and introduce new dental services to its clinic, and the Lost Dogs Home has now received over \$46 000 to upgrade its veterinary dental equipment.

Vets are registered and regulated by a professional body, the Veterinary Practitioners Registration Board of Victoria, which is established under the Veterinary Practice Act 1997. The vet board has also experienced increasing demand, and this bill responds with improvements to the administrative provisions, including ensuring that the board is able to conduct hearings and meetings online using modern technology, and we know this is something that has also been highlighted by the COVID-19 pandemic.

Other amendments in the bill go to improving information-sharing provisions, providing additional investigation and enforcement opportunities for complaints and allowing more flexibility in and around registration. I might leave my contribution there so other speakers can have more time to speak. I commend this bill to the house.

Dr RATNAM (Northern Metropolitan) (17:31): I am pleased to rise and speak very briefly on the Agriculture Legislation Amendment Bill 2022. This omnibus bill covers a lot of ground. I will not speak to it in detail, as my colleague the member for Melbourne has covered key points for the Greens in the other place. I would, however, like to flag the really important amendments I will be moving to this bill in the committee stage. The amendments I will move are to introduce a ban in Victoria on the general sale of a dangerous group of rat poisons known as second-generation poisons. I am happy for those amendments to be circulated now.

Greens amendments circulated by Dr RATNAM pursuant to standing orders.

Dr RATNAM: These poisons, which can be bought in a supermarket or hardware store, are harming and killing our native wildlife and also people's pets—pet cats and dogs. There is absolutely no need for these poisons, as there are alternatives already available that are safe for wildlife and pets. These amendments are exciting, because while they follow what has happened in Europe, the US and Canada, they are the first of their kind in Australia. I will explain the amendments and why they are so important more fully in the committee stage, and I strongly urge all MPs to consider supporting these amendments to protect our native birds, mammals and reptiles in Australia.

Ms LOVELL (Northern Victoria) (17:32): I just rise to make a very brief contribution on the Agriculture Legislation Amendment Bill 2022, which makes a number of relatively small changes to various acts of Parliament—in fact 11 acts of Parliament; it is an omnibus bill—and my colleague Ms Bath has gone through all of those in detail. The government has described this as just the modernising of existing legislation or harmonising of our legislation with other states. There is only one issue that I want to raise. Before I say that, the opposition is not opposing the legislation, and there have been no concerns on this legislation raised by the major stakeholders in agriculture.

However, in the last week or so we have had a number of people contact our office who are very concerned that something in this bill will stop them growing their own food. These are individuals who are growing for their own use, not for commercial purposes. I would just like the minister, in her summing-up of the legislation, to put their minds at ease, to put on the record that this will not mean that people will not be able to have their own vegetable patches or their own chooks in their backyard, that the inspectors will not be going into private homes or private households or properties in order to enact parts of this bill. I believe that there was a campaign on social media about this bill that has caused a lot of grief to a lot of individuals, and it will be good if the minister could clarify in the summing up of the bill that this will not be used to go after people who grow their own food.

Ms TAYLOR (Southern Metropolitan) (17:34): I move:

That debate be adjourned until later this day.

Motion agreed to and debate adjourned until later this day.

Adjournment

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (17:35): I move:

That the house do now adjourn.

DALLAS COMMUNITY SAFETY

Mr ONDARCHIE (Northern Metropolitan) (17:35): (1920) My adjournment matter is for the Minister for Police. The people of Dallas are concerned about dangerous hooning, antisocial behaviour and the illegal dumping of rubbish in their suburb. I recently invited the people of Dallas to complete my community survey, and I thank the many, many people that responded to that survey—thank you. Dallas is such a diverse, multicultural and wonderful community. In the early part of my career I worked in Dallas, and so I have got to see the development of the different cultures, the diversity and the wonderful people that live there. The action I seek from the minister is for the government to commit to extra police patrols in the Dallas area to deter hooning on Pascoe Vale Road, King Street and Barry Road and the illegal dumping of rubbish near Phillip Street and Blair Street and along the Merlynston Creek. Dallas residents really care for their suburb, and they deserve a cleaner and safer environment in which to raise their families.

LGBTIQA+ EQUALITY

Mr MEDDICK (Western Victoria) (17:36): (1921) My matter this evening is for the Minister for Equality, and the action I seek is for the minister to examine how LGBTIQA+ people of all ages can be protected from hate speech ahead of and during the upcoming state election. We have just witnessed a federal election where the Morrison-led LNP government deliberately chose a candidate in a high-profile seat who embarked on a public tirade against LGBTIQA+ people, in particular taking aim at trans children. Not only that, she also walked away from what was not an apology in real terms and proceeded to double down, backed by the Prime Minister on every occasion. If this was a tactic that sought to vilify and demonise cisgender children, there would surely be uproar, yet somehow the lives of trans kids do not count. This grubby gutter politics has brought a spotlight of fear and hatred on a group of young people whose rate of death by suicide is 15 times higher than any other youth demographic. How dare you.

We have seen this dog whistling before, this calling to arms of the bigoted, the homophobic and transphobic element of Australian society that, despite all the efforts of a new younger and more caring generation coming through, continues to exist. All the old lies and tropes were wheeled out by a once principled party, a party that has not suffered a lurch but a full-on charge to the far right by a now ex-Prime Minister that himself weaponised the debate both in a cheap political strategy and because he himself is a champion of those attitudes. We know that faction exists also in the LNP in Victoria, and the potential for the same type of campaign being run in our state election is very real.

It will not be the politicians or the conspiracy theorists who suffer at the hands of a rabid hate campaign; it will be the community of all LGBTIQ+ people, and my greatest fear is that it will cost lives. At the very least a community that were once in hiding, who are now out and proud, will feel justified in not being able to live their authentic lives because they will be fearful for their lives, just as they were in the dark ages of the 1950s through to the 80s and 90s. Minister, will you move to protect them and before the election take all necessary steps to prevent hate speech in public, in print, online and in all media at all times and, in so doing, proving again that you are part of a government that believes we are all equals not just in rhetoric but under the law?

NUMURKAH PIONEERS MEMORIAL LODGE

Ms LOVELL (Northern Victoria) (17:39): (1922) My adjournment matter is directed to the Minister for Health and concerns funding to redevelop NCN Health's Numurkah Pioneers Memorial Lodge. The action that I seek is for the minister to commit funding towards a redevelopment of NCN Health's Numurkah Pioneers Memorial Lodge to ensure the delivery of high-class residential aged care services for the Numurkah and district community.

The health services of Nathalia, Cobram and Numurkah voluntarily amalgamated to become NCN Health in July 2019. NCN Health provides a range of health services across the Moira shire at campuses in each of the three towns, including emergency care theatre services, dental health, GP services, community health and residential aged care. The health service has four residential aged care facilities across three campuses: Banawah Nursing Home in Nathalia, Irvin House Residential Aged Care in Cobram and Numurkah Pioneers Memorial Lodge and Karinya Nursing Home, both in Numurkah.

The NCN Health board of directors, management and staff are committed to continuing to deliver quality residential aged care services across the Moira shire but recognise the need to complete a redevelopment of the Numurkah Pioneers Memorial Lodge facility. Numurkah Pioneers Memorial Lodge has 34 permanent residents as well as two respite beds and two transitional care beds for hospital patients who need support before going home. While the dedicated staff continue to provide exceptional care for the residents, the facility itself is outdated and requires a full redevelopment, which has been costed at approximately \$20 million. The redevelopment of the lodge is a high-priority infrastructure project for NCN Health, and it was hoped that funding for the project would have been included in this year's state budget. Unfortunately no such funding was provided in the budget for the project, and NCN Health are committed to lobbying the state government to secure the funding required.

The residents of Numurkah deserve an aged care facility that will ensure they have a safe and secure living environment in their later years. I urge the minister to work constructively with the board of directors of NCN Health and the CEO, Jacque Phillips, and provide funding to ensure the redevelopment of the Numurkah Pioneers Memorial Lodge becomes a reality.

NORTHERN METROPOLITAN REGION SCHOOLS

Dr RATNAM (Northern Metropolitan) (17:41): (1923) My adjournment matter tonight is for the Minister for Education, and my ask is that he undertakes a strategic plan for three public secondary schools in the northern suburbs of Moreland. Last month I had the pleasure to meet with RISE North, a community group of over 850 Moreland residents championing better public secondary education in Moreland's north.

Moreland is home to three local public secondary schools, Glenroy Secondary College, John Fawcner Secondary College and Pascoe Vale Girls College. While the public primary schools in the area are high performing, secondary schools have been underfunded and under-utilised, with local families increasingly choosing schools outside of the area. Since 2014 there has been a 30 per cent decline in enrolments at Pascoe Vale Girls College, 11 per cent at Glenroy Secondary College and 10 per cent at

John Fawkner College. Community members also report that the two co-educational schools do not offer a broad range of subjects or programs compared to other schools in the northern suburbs.

John Fawkner College in particular is in desperate need of capital funding to undertake much-needed redevelopment works. I have heard from members of the school community that facilities are inadequate and no longer fit for purpose. The school has recently completed its master plan for development, which is shovel ready and awaiting funding. However, no funding has been provided by the government for the works, and the school once again missed out on funding in last week's budget.

Our public education system is precious, and we should be investing heavily in all of our public schools to create a world-class public education system in Victoria. It is disappointing that once again schools in the north of Moreland have missed out on much-needed funding. Community members are keen to work with the Department of Education and Training to develop an education plan for the area that is fit for purpose for the community, with a focus on improving student enrolments, retention and outcomes. I ask the minister to engage with RISE North and the Moreland community to develop a strategic plan for the northern Moreland secondary schools.

AGRICULTURE VICTORIA

Mrs McARTHUR (Western Victoria) (17:43): (1924) My adjournment debate is for the Minister for Agriculture and concerns the impact which short-sighted cuts to Agriculture Victoria will have on regional Victoria, specifically in the south-west. The danger with Melbourne-based bureaucracies is that even those which operate satellite offices or—in the case of Agriculture Victoria—a hub-and-spoke approach will always retreat to the centre when cuts are made. At the Public Accounts and Estimates Committee last week I pointed out that the Andrews government has slashed more than 100 jobs from agriculture research and development, and the minister refused to rule out further losses. At the same time the Premier's personal department has increased from 370 staff when Labor came to power in 2014 to 966 last year. This is a terrible contrast and speaks volumes about the government's attitude to regional Victoria and its most important industry. So I want to take this opportunity to explain why it should be HQ in Melbourne which bears the brunt of these cuts, not out in the field where real and valuable work is done.

As members here should be well aware, the south-west is a fabulously rich, fertile and productive farming area. The dairy industry is particularly important, with hundreds of dairy farmers, thousands in the workforce and tens of thousands of animals. It is the region's most important industry, producing 1.9 billion litres of milk last year, generating \$4 billion per year across the whole supply chain and representing 30 per cent of the region's economy. Importantly, in recent years half of the dairy farms in the south-west have increased production, and 80 per cent are currently minded to maintain or increase herd size. This is why the Warrnambool office of Agriculture Victoria is so well situated and why its work has been so important to local farmers. Their work is not theoretical or academic, it is seriously practical. They work with the region's dairy farmers and have built a strong and mutually beneficial relationship, keeping Victoria at the cutting edge of agricultural science and ever-increasing productivity levels.

A few of these hands-on projects with real outcomes for the dairy industry include the wet soils project in Terang; alternative forage trials; the phosphorus nitrogen project at Ballangeich, Toolong and Terang; the feed to milk project at Nullawarre; the genetic gains project; the irrigation project at Grassmere and Mepunga; the forage assemblies at DemoDAIRY; the pasture persistence project at Illowa; the forage value index trial at Timboon—and I could go on. This work just does not happen inside the tram tracks. The action I seek is for the minister to visit these researchers with me to recognise the importance of regional relationships and to reverse these damaging cuts.

ALBURY WODONGA HEALTH

Ms MAXWELL (Northern Victoria) (17:46): (1925) My adjournment is to the Minister for Health, and the action I seek is for the government to respond to the call from the Albury-Wodonga community for a new single-site hospital in their region. I thank the minister for publicly responding to my question of last sitting week when I invited him to meet with Better Border Health, the local working group of community members who are diligently campaigning for a new single-site hospital. I have been in touch with his office to make arrangements for this and look forward to the opportunity for this working group to share their views on what is needed to meet the healthcare needs of the region.

I attended the Better Border Health community rally on Sunday, 15 May, which was attended by more than 1000 people and showed just how important this issue is to the region. There might be differing opinions on the status of the master plan, but there is absolutely no disagreement in Albury-Wodonga about the need for a single-site regional hospital. This is a united call from doctors, nurses, allied health workers, patients, carers, the hospital board and the regional communities of Albury-Wodonga. The clinical services plan released in April 2021 recommends a single-site hospital, and the lived experience of patients backs this up 100 per cent.

If you are a woman in labour and you experience complications or your baby needs specialist paediatric care, you will have to wait for precious time—possibly half an hour, maybe longer—for an ambulance to be transported from Wodonga to Albury for this critical care. Postoperative patients like Sylvia Britt have recently had to spend two nights in the day unit without the appropriate facilities of a ward. Nurse Jeff Hudson told the rally that there is one toilet for every nine patients. The chair of the Border Medical Association, Dr Barbara Robertson, said, ‘Our hospital is too old, too small and too spread out’, and the wonderful staff are struggling to work in these conditions. Staff are left to take off contaminated personal protection equipment outside in the rain. Isolation rooms are compromised because air can leak through vents in the doors. A doctor spoke of resuscitating a newborn while unable to contact the paediatric registrar at the other site because of a mobile blackspot in the hospital, and Brad George spoke at the rally about having to lie down outside on a metal bench while he was having a heart attack.

Minister, I know you will agree that this is simply not good enough and the situation is urgent, made even more dire by the strain on our health system from the pandemic. We have had at least two code yellows declared this autumn. So, Minister, I say to you: we do not need a master plan to know that this community needs a new single-site hospital. We need a commitment for funding and a sign of hope for Better Border Health.

MENINGOCOCCAL B VACCINATION

Ms CROZIER (Southern Metropolitan) (17:49): (1926) I completely agree with Ms Maxwell. It is something that I have been addressing in meeting with the community.

My matter is also for the Minister for Health, and it relates to a very serious issue—a meningococcal immunisation program. In South Australia they have been running what started off as a pilot program amongst children. They were identifying the numbers of kids that were being infected. In 2018 it was introduced first there through a government immunisation and awareness campaign, and since that time because it has been so successful it has been rolled out to include adolescents from 15 to 20.

Now, this has been a very effective campaign in South Australia. It really is a terrible disease. Meningococcal can cause some very severe health outcomes, including brain damage, and very serious issues around deafness or loss of limbs. People can die from it—babies can die. It is something that we could be looking at very effectively, but Victoria is not doing that. They have had a 60 per cent reduction in cases for infants and a 73 per cent drop for adolescents when they have gone on and done this vaccination campaign and awareness program relating to meningococcal B.

I would like the Victorian government to look to the South Australian program—look at those outstanding results that they have achieved, with 92 per cent effectiveness in infants and almost 100 per cent effectiveness, I understand, in adolescents—look at the meningococcal B issue here in Victoria, and consider that Victoria also take up a similar vaccination program in infants and adolescents so that we can reduce these numbers and prevent these terrible health outcomes, as I have outlined, from being in our community with infants, babies and adolescents. It is a very serious issue and I hope that the government will look at this as a matter of priority.

WESTERN METROPOLITAN REGION MENTAL HEALTH SERVICES

Dr CUMMING (Western Metropolitan) (17:52): (1927) My adjournment matter is to the Minister for Mental Health in the other place, and the action that I seek is for funding to be provided for establishment of a satellite Headspace at Newport Community Hub. In September 2020 I raised this issue, one that has been a priority of Hobsons Bay City Council for some years. There is a large and sustained gap in mental health services for young people aged between 12 and 25 years in the inner west. In 2015–16 the rate of mental health inpatient admissions for 10- to 17-year-olds was 9.06 per 1000 people, and that was higher than the rate for Western Metropolitan Region, which was 6.46 per 1000 people, and Victoria at 7.85 per 1000 people, highlighting the importance of increasing accessibility to preventative and early intervention mental health services for young people.

With limited youth-dedicated mental health services in Hobsons Bay, young people face a range of accessibility barriers. Barriers include access to transport and the travel times to seek support from Headspace sites outside the municipality. A young person residing in Hobsons Bay is potentially required to make a 1½-hour round trip by public transport to access Headspace at either Werribee or Sunshine, and that is excluding the consultation appointment. There is consistent demand on council-funded youth counselling and case management services based in the youth-dedicated space in the Newport Community Hub. This demand is anticipated to continually increase. Establishing a satellite Headspace in Newport would ensure young people in the inner west are provided with the critical mental health support they require to be able to fully embrace life's opportunities, deal effectively with personal challenges and build a prosperous future. Newport or even Laverton are suggested locations, as both have very good public transport access and the ability to support young people in surrounding suburbs and municipalities. As well, we all know that the mental health of Victorians has decreased, but especially our youth have been suffering over the last few years. This is really a priority. Minister, please look at this and please help Hobsons Bay achieve a satellite Headspace in either Newport or Laverton.

EASTERN VICTORIA REGION HOUSING

Ms BURNETT-WAKE (Eastern Victoria) (17:55): (1928) My adjournment matter is to the Minister for Planning, and it concerns the many orphaned homes across Eastern Victoria Region. The action that I seek is for the minister to help the many Victorians impacted by their surveyor no longer being in business by invoking powers under the Building Act 1993. I was recently made aware of the term 'orphaned home'. An orphaned home is a home build that cannot be completed or is unable to be lived in due to the building surveyor going missing in action, losing their licence or no longer being in business before final permits are received. Now, there are over 800 orphaned homes in the Yarra Ranges council area specifically and tens of thousands across Victoria. Many of my constituents cannot get final building permits or certificates of occupancy because their surveyor has shut up shop. These home owners cannot find other surveyors willing to take on the job due to crippling insurance liabilities.

A news article by the ABC from October last year tells the story of a couple from Mount Eliza, part of my electorate. They were kicked out of their home in June last year after lodging an objection with the council over a neighbour's building proposal. In dealing with the complaint, the council discovered they did not receive a certificate of occupancy before moving in in 2015. They discovered the building surveyor had been deregistered, and no-one is now willing to take on the issue. The couple have been

turned away by two dozen surveyors, with no-one willing to take on the job due to liability, despite the fact the home is perfectly habitable. The issue all comes down to risk. The Andrews Labor government banned flammable cladding in 2021 and clamped down on surveyors in the months that followed. This resulted in professional indemnity insurance prices skyrocketing. One surveyor's insurance jumped by 800 per cent in one year. This has resulted in many surveyors closing their doors, leading to the orphaned homes crisis.

Under section 83B of the Building Act 1993 the Victorian Building Authority have the power to step in and appoint a manager in the event that a building surveyor dies, is imprisoned, has their licence suspended or cancelled, becomes insolvent or ceases to carry out their functions. In the October ABC article the Minister for Planning declined to say whether this law had ever been invoked and instead directed affected residents to contact their local council. This is a statewide issue that needs to be addressed at a state level. That is why there are provisions under state legislation that allow the minister to step in in these exact situations. Further, the Victorian Building Authority can recover moneys paid to these appointed managers under section 83L, which local councils cannot do. An insurance lawyer from Lander & Rogers states clearly in the same article I have mentioned that the government have a responsibility to intervene to help these home owners left hanging in the balance. Again, I call on the minister to invoke his powers under section 83B of the Building Act 1993 so the many impacted Victorians can live in their homes and get on with life.

SUNBURY LEVEL CROSSING REMOVAL

Mr FINN (Western Metropolitan) (17:58): (1929) I wish to raise a matter for the attention of the Minister for Small Business. It may be that some members think that I do speak about Sunbury a bit too much, but on this occasion I think it is fully justified. What the Sunbury township and in particular the business community of Sunbury are about to go through is a horror patch. They have already felt of course the longest lockdowns in the world and the economic impact of those lockdowns. We have seen the lack of parking, a problem that the government said it would fix before the last election, but in fact it has taken parking away. What we will be seeing very, very shortly, in fact next week, is the closure of a level crossing—one of only two crossings of the railway line in Sunbury. I have been in Sunbury for a long time, and I have seen two occasions when that level crossing has been closed before. It was usually due to an accident or some other problem that we had trouble dealing with. What it caused was total and absolute gridlock within the Sunbury township, to the point where, and I will recall this, people just locked their cars, walked away and left them on the street.

The impact the closure of this level crossing will have on the business community in Sunbury is going to be absolutely horrific. It will be horrendous. What we need to do is find a way of assisting the business community. What we are going to see is that a lot of people from the Macedon Ranges, most of whom shop in Sunbury as their major regional shopping centre, are going to go straight to Watergardens. They are going to say, 'I'm not going anywhere near Sunbury; we're going straight to Watergardens'. Indeed we are going to see a lot of people in Sunbury saying that—they are not going anywhere near the Sunbury CBD because it will be too horrendous, the traffic will be just dreadful. We are going to see a lot of businesses in Sunbury under a lot of pressure over the next—well, how long is this going to take? We do not know. We have seen blowouts in Sunbury before on these sorts of works. We could be talking up to a year perhaps where this level crossing will be out of action.

What I am asking the minister to do is to put together a package of support for businesses in Sunbury. It is not something that I normally promote, not something that I normally would advocate, but certainly on this occasion I believe it is necessary. Otherwise we are going to see economic Armageddon in Sunbury over the next six, eight or maybe 12 months, and that is something that is entirely intolerable.

LAND TAX

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (18:01): (1930) My matter in the adjournment tonight is for the attention of the Treasurer, and it concerns taxation arrangements—complex land tax arrangements—as they affect a particular family, Dr Xioa Wang and Zuxia Yu. This is a family in Toorak that had a property in Camberwell. They sold that. They built a new addition on the Toorak property, so there is some complexity on timing and the fact they were not living in this property whilst it was being built. There is an additional complexity with this land tax in that Dr Wang—with his wife and his two young adult children who live with him—is a doctor, a rural doctor, so he has a home base here in Melbourne but also spends a lot of time in country Victoria providing support for rural communities through his doctoring services. I would have thought that was something that would have been supported by government, but this has left him in a very difficult place because the land tax that has been assessed by the State Revenue Office (SRO) has not taken account of the fact that he is somebody who goes to country Victoria, to different places, but this is his base here.

The land tax arrangements do not appear to have adequate flexibility to recognise that fact nor the difficulty of him rebuilding the property and in that process needing some recognition that although he was paying land tax elsewhere, he now has been clobbered with land tax. It is a big bill—\$280 000—it is actually a massive bill. He is in dispute with the SRO. That is heading for a tribunal hearing in June this year, but he has in the meantime received threatening emails from debt collectors inspired by the SRO.

What I am wanting the Treasurer to do here is to, either via the commissioner at the SRO or some other mechanism, have a proper and fair review. Is this an unintended consequence of the interplay of the land tax legislation? I mean, the truth is I would have thought that it was entirely proper for a base of this type for a rural doctor, with his family living there at the same time, to not be clobbered with a full land tax hit, and a retrospective land tax hit. This has been cruel and, it seems, overly harsh. In that sense I am asking the Treasurer to ensure that the SRO looks at this fairly— (*Time expired*)

MCKOY STREET–HUME FREEWAY, WODONGA

Mr QUILTY (Northern Victoria) (18:04): (1931) My adjournment matter tonight is for the Minister for Roads and Road Safety, and this question takes a bit of a detour part way through as I got distracted writing it. The McKoy Street–Hume Freeway intersection upgrade at Wodonga appears to have been overlooked in this year’s Victorian budget. I was hoping to see funding allocated in this year’s budget to improve the safety of traffic flow through the current poorly thought out intersection. With an expected construction commencement time in 2023, I was disappointed to see no allocated funds for the project at all—disappointed but not surprised. This Melbourne government’s obvious disregard for northern Victoria continues to be on display for all to see.

The original cost of this project was projected to be \$60 million. The previous federal government had committed to contributing \$168 million to this project back in 2019 as the budget blew out. Due to this government refusing to prioritise the project and dragging its feet over the planning, that money may now be gone along with the change of government. The estimated cost to the project is now sitting at an extraordinary \$210 million. We are not talking about the Shepparton bypass here; this is a bridge over the highway and the railway line. I have heard of gold-plated solutions, but this one must be being built out of solid platinum.

There is a problem with public works projects in the state blowing out, and this overpass must be a textbook case of the problem. On the weekend I was talking to someone about the huge levels of waste going on with the concrete fabrication for the West Gate Tunnel works taking place in Benalla. Nobody cares or tries to rein it in because it is all at the taxpayers’ expense. Victoria cannot afford to pay 300 to 500 times the actual cost of infrastructure projects. We have a government embarked on running up hundreds of billions of dollars in debts for the Big Build, and we need to control costs. I have called for more transparency in these projects before. We need to do better.

I was going to ask a question about what is happening with the McKoy Street intersection upgrade—and I may still do that this week—and when it is going to happen, but the cost blowouts on this overpass have derailed my train of thought. The action I am seeking is for the government to open this entire overpass planning process up to open source—designs, costings, the works. Let the interested but without a vested interest people who know what they are talking about come up with a plan for a bridge over the highway at the McKoy Street intersection that will not end up costing us \$250 million, and then continue the process of open sourcing scrutiny throughout the build. And let this be the start of a new way of planning and managing the process for infrastructure in Victoria that will not slug taxpayers with costs that are multiples of what they should be.

RESPONSES

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (18:07): There were 12 adjournment matters that were raised by members this evening, and they will be referred to the relevant minister for a response.

The PRESIDENT: The house stands adjourned.

House adjourned 6.07 pm.